First Amendment to the Draft
Environmental Impact Report

RACE STREET GENERAL PLAN AMENDMENTS AND PLANNED DEVELOPMENT REZONINGS

(GP05-06-01, GP05-06-02, PDC06-024, and PDC06-025)

SCH# 2005062160

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

March 2007

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PREFACE

This document, together with the November 2006 Draft Environmental Impact Report (Draft EIR) for the Race Street General Plan Amendments and PD Rezonings constitutes the Final Environmental Impact Report ("Final EIR" or "FEIR") for the proposed project. Under the California Environmental Quality Act (CEQA), the Final EIR is an informational document prepared by the Lead Agency that must be considered by the decision-makers before approving the proposed project. CEQA Guidelines Section 15132 specifies that a Final EIR shall consist of the following:

- The Draft EIR or a revision of the draft;
- Comments and recommendations received on the Draft EIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the Lead Agency to the significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.

In conformance with the CEQA Guidelines, the Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final EIR will be used by the City and other Responsible Agencies in making decisions regarding the project. The CEQA Guidelines require that, while the information in the Final EIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the Draft EIR by making written findings for each of those significant effects before it approves a project.

According to Section 21081 of the California Public Resources Code, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(A) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(B) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (A), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

The Final EIR will be made available to the public and commenting public agencies 10 days prior to the EIR certification hearing.

All documents referenced in this EIR are available for public review at the Department of Planning, Building, and Code Enforcement, located at 200 East Santa Clara Street, San José, California, on weekdays during normal business hours.

SECTION 1 LIST OF AGENCIES AND INDIVIDUALS RECEIVING THE DRAFT EIR OR NOTICE OF AVAILABILITY OF THE DRAFT EIR

State of California (via State Clearinghouse)

- Resources Agency
- Regional Water Quality Control Board, Region 2
- Department of Parks and Recreation
- Native American Heritage Commission
- Public Utilities Commission
- Office of Emergency Services
- Department of Housing and Community Development
- Office of Historic Preservation
- Department of Fish and Game, Region 3
- Department of Water Resources
- California Highway Patrol
- Department of Transportation (Caltrans, District 4)
- Department of Toxic Substances Control
- Department of Health Services

County and Regional Agencies

- Alameda County Planning Department
- Association of Bay Area Governments
- Bay Area Air Quality Management District
- Santa Clara County Planning Department
- Santa Clara County Roads and Airports Department
- Santa Clara Valley Transportation Authority
- Santa Clara Valley Water District

Local Governments

- City of Campbell
- City of Cupertino
- City of Fremont
- City of Gilroy
- Town of Los Gatos
- City of Milpitas
- City of Morgan Hill
- City of Santa Clara
- City of Saratoga
- City of Sunnyvale

School Districts

- San José Unified School District
- East Side Union High School District
- Franklin-McKinley School District
- Campbell Union High School District
- Santa Clara Unified School District

Organizations, Companies, and Individuals

- Adams, Broadwell, Joseph & Cardozo
- Buena Vista Neighborhood Association
- Burbank Community Association
- Burbank/Del Monte Strong Neighborhoods Initiative
- Community Foundation Silicon Valley
- Crescent Park Homeowners
- Del Mar High School
- Del Monte Neighborhood Association
- Burbank/Del Monte Neighborhood Advisory Committee
- Delmas Park Neighborhood Association
- Gardner Community Center
- Greater Gardner Strong Neighborhoods Initiative
- Gregory Plaza Neighborhood Association
- Greater Gardner Coalition
- Luther Burbank School
- North Willow Glen Neighborhood Association
- Pacific Gas and Electric
- Rose Garden Neighborhood Preservation Association
- Saddle Rack Owner's Association
- San José Water Company
- Shasta/Hanchett Park Neighborhood Association
- Sherman Oaks Community Center
- Sherman Oaks Neighborhood Association
- Union Pacific Railroad
- United Neighborhoods of Santa Clara County
- West San Carlos Street Business Association
- Westside Property Owner's Association
- Willow Glen Neighborhood Association

The Draft EIR was also on file and available for review at the City of San José Planning Division, the Willow Glen Branch Library, and the Dr. Martin Luther King Jr. Main Library.

SECTION 2 LIST OF AGENCIES AND INDIVIDUALS COMMENTING ON THE DEIR

Comment Received From		Date of Letter	Response on Page
State Agencies			
A.	Public Utilities Commission	December 18, 2006	7
B.	Department of Fish and Game	December 19, 2006	7
C.	Department of Transportation (Letter 1)	December 19, 2006	8
D.	Department of Transportation (Letter 2)	January 3, 2007	9
E.	Regional Water Quality Control Board	January 5, 2007	9
County and Regional Agencies			
F.	County of Santa Clara Department of Roads and Airports	December 6, 2006	11
G.	Santa Clara Valley Transportation Authority	January 5, 2006	11
Organizations			
H.	Willow Glen Neighborhood Association	January 2, 2007	12
I.	Burbank/Del Monte Neighborhood Advisory Committee	January 4, 2007	17

SECTION 3 RESPONSES TO COMMENTS RECEIVED ON THE DEIR

The following section includes all of the comments requiring responses contained in letters received during the advertised 45-day review period by the City of San José regarding this DEIR. The comments are organized under headings containing the source of the letter and its date. The specific comments have been excerpted from the letters and are presented as "comment" with each response directly following. Each of these letters submitted to the City of San José is contained in its entirety in Section 5 of this document.

A. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE STATE OF CALIFORNIA PUBLIC UTILITIES COMMISSION DATED DECEMBER 18, 2006.

COMMENT A-1: As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way. Of specific concern is that all driveways for the project are located as far as possible from the existing at-grade highway-rail crossings located at Race/Parkmoor Streets and at Lincoln Street. Vandal-resistant fencing should be included to deter trespassing onto the right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

RESPONSE A-1: The existing at-grade rail crossings located at Race Street/Parkmoor Avenue and Lincoln Avenue are controlled by crossing gates. The project would not relocate any of the existing driveways on the site. The existing driveway setbacks from these crossings are considered adequate and will be maintained with the project. The railroad right of way is currently fenced with gates providing access to the light rail station from Areas 1 and 2 of the project site. No modifications to this fencing or access to the light rail station are proposed by the project.

Pedestrian access from one area of the site to another will be via the existing sidewalks on Race Street and Lincoln Avenue. No additional pedestrian crossings between Areas 1 and 2 over the existing rail lines are proposed by the project. Access to the Race Station is provided from Areas 1 and 2 of the site and the existing sidewalk on Race Street. These existing pedestrian access points would not be altered with the proposed project.

B. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE CALIFORNIA DEPARTMENT OF FISH AND GAME, DATED DECEMBER 19, 2006.

COMMENT B-1: The Department of Fish and Game (DFG) has reviewed the document for the subject project. Please be advised this project may result in changes to fish and wildlife resources as

described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G). Therefore, if you are preparing an Environmental Impact Report or an Initial Study and Negative Declaration for this project, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Santa Clara County Clerk on or before filing of the Notice of Determination for this project.

Please note that the above comment is only in regard to the need to pay the environmental filing fee and is not a comment by DFG on the significance of project impacts or any proposed mitigation measures.

RESPONSE B-1: As required, all applicable DFG fees will be required to be paid prior to the filing of a Notice of Determination for the project. No further response is required as this comment does not raise any questions about the adequacy of the EIR.

C. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE DEPARTMENT OF TRANSPORTATION (LETTER 1), DATED DECEMBER 19, 2006.

COMMENT C-1: Hydraulics

The Department needs to review the proposed project site grading plan and drainage plan to ensure that there is no impact to State drainage facilities.

RESPONSE C-1: Area 3 of the project site is located adjacent to the Race Street off-ramp from Interstate 280. This portion of the site is lower than the State facilities to the south. The proposed project would not impact State drainage facilities. As is typically the case for a Planned Development Rezoning, the current plan set is conceptual and will be refined at the subsequent Planned Development Permit stage, when an application for a permit is filed. When an application for a Planned Development Permit is filed, the plan set will be referred to CalTrans for their review and comment as part of the City's standard outside-agency referral process for development projects.

COMMENT C-2: Encroachment

Please be advised that any work or traffic control within the State right-of-way (ROW) will require an encroachment permit from the Department. To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of plans which clearly indicate State ROW to the following address:

Mr. Michael Condie, District Office Chief
Office of Permits
California Department of Transportation, District 04
P. O. Box 23660
Oakland, Ca 94623-0660

An encroachment permit application and instructions can be located at the following web address.
http://www.dot.ca.gov/ha/traffops/developserv/permits/applicatons/index.html

RESPONSE C-2: No work is currently proposed in the State ROW for Interstate 280. This comment has been provided to the project applicant. Any encroachment into the State ROW determined necessary at the time of final site design will be subject to all applicable permits.

D. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE DEPARTMENT OF TRANSPORTATION DATED JANUARY 3, 2007.

COMMENT D-1: The trip generation rates for both the A.M. and P.M. hours are too low.

RESPONSE D-1: The Transportation Impact Analysis (TIA) for the project was completed in accordance with City of San José standards. The City of San José standard trip generation rates were used in the TIA. The recommended trip generation rates for use in the City of San José are detailed in the *Interim Guidelines for Traffic Impact Analysis of Land Use Developments, 1994*. The comment does not offer a recommendation for a preferable alternative trip generation rate.

COMMENT D-2: The sum total for the trip generation rate calculations is incorrect.

RESPONSE D-2: The trip generation calculation totals were checked and found to be accurately summed. The comment does not specify what is considered inaccurate in the reported calculations.

COMMENT D-3: The pass-by trip reductions should be 20%, not 25%.

RESPONSE D-3: A pass-by trip reduction of 25 percent is typically used for projects in the City of San José, in conformance with City guidelines. The comment does not explain why a 20 percent pass-by reduction is considered preferable.

COMMENT D-4: The 13% internal reductions are incorrectly calculated.

RESPONSE D-4: Based on the *Congestion Management Program TIA Guidelines*, a maximum 13 percent reduction was applied since the project is a mixed-use development with housing and retail components. The comment does not indicate what is considered incorrect about the reported calculations. The 13 percent reduction was first applied to the smaller of the two generators (retail component). The trips generated by the larger generator (residential component) were then reduced by the same number of trips that were reduced for the smaller trip generator. The 13 percent internal trip reduction calculations were reevaluated and found to be accurate.

E. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD DATED JANUARY 5, 2007.

COMMENT E-1: Section 2.6.2, Hydrology and Water Quality Impacts, Mitigation Measures Hydro-1.1 through Hydro-1.3(pages 140-141).

Mitigation measures Hydro-1.1 through Hydro-1.3 discuss the project's proposed post-construction stormwater management measures. These measures would be implemented for compliance with

Provision C.3 of the City of San José's NPDES Permit and the City's Post-Construction Urban Runoff Management Policy (Policy 6-29). The proposed treatment includes the use of permeable podium, consisting of paving stones underlain with gravel or drain rock. Figure 17 of the DEIR illustrates the proposed permeable podium design.

Water Board staff are concerned that the proposed design may not be fully consistent with the Requirements of Provision C.3. Based on Figure 17, it appears that the gaps between unit pavers will be only one-quarter inch wide. In order to ensure that runoff infiltrates between pavers, a minimum spacing of half of an inch is usually required. It is also not clear how the proposed layer of gravel or drain rock will filter pollutants from stormwater runoff, since the proposed design does not appear to include a filter medium (e.g., sand).

RESPONSE E-1: The proposed permeable podium will slow the peak flow rate of the project's stormwater runoff in accordance with Policy 6-29, and will also reduce levels of urban pollutants in the runoff. The proposed gap between unit pavers of one-quarter inch is considered adequate to allow stormwater to pass, without allowing hazardous conditions to occur.[1] Technical specifications call for gaps as small as one-eighth of an inch for unit pavers; gaps of one-half inch could pose a tripping hazard to pedestrians. Runoff from the podium will be directed to a mechanical treatment unit for further treatment prior to being discharged into the City's storm drainage system.

The proposed permeable podium design has been used in various projects in the City of San José, including Avalon at Cahill Park, 800 North Eighth Street, and the Markethouse Lofts.

The current iteration of the grading and drainage plan, for purposes of the Planned Development (PD) Rezoning and EIR, is conceptual and, if approved, will be further refined, as necessary, at the PD Permit stage. The project will be required to conform to all applicable requirements of Provision C.3 at the time of permit approval.

COMMENT E-2: Mitigation Measure Hydro-1.3 refers to numeric sizing calculations for the treatment units. These calculations will be required by the City of San José before a Planned Development Permit is issued for the project. Please provide Water Board staff with these calculations so that we can better understand the design and functioning of proposed treatment units.

RESPONSE E-2: The numeric sizing calculations for the currently proposed treatment units has been added to Appendix D as shown in *Section 4 Revisions to the Text of the Draft EIR* of this document.

[1] Friedland, David. P.E. Email communication. January 12, 2007. (Note: David Friedland is a consulting civil engineer for the project.)

F. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE COUNTY OF SANTA CLARA ROADS AND AIRPORTS DEPARTMENT DATED DECEMBER 6, 2006.

COMMENT F-1: Please, furnish a copy of the Draft EIR along with the Traffic Impact analysis for our review and comments.

RESPONSE F-1: A copy of the Notice of Availability was sent to the County of Santa Clara Roads and Airports Department in mid-November 2006. A copy of the Draft EIR, including the Traffic Impact Analysis was sent in early December 2006, after receiving this comment letter.

COMMENT F-2: The Report should identify any potential impact on any County facility and the necessary mitigation measures should also be included in the Draft EIR.

RESPONSE F-2: No impacts to County facilities were identified in the Transportation Impact Analysis prepared for the project. No additional comments from the Santa Clara County Roads and Airports Department were received.

G. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY DATED JANUARY 5, 2007.

COMMENT G-1: Please consider the following improvements so as to provide good pedestrian access and station visibility.

- Install 10-foot sidewalks along Race Street and connecting to the station area to allow adequate space for station users.
- Install clear, monumental signage along Race Street to identify the location of the station.
- Consider redesigning the lobby area of the northern development (section 1) to provide better visibility and pedestrian access to the station. This can include attractive landscaping or installing bollards to identify the area as designated for pedestrians only.
- Provide pedestrian-level lighting around the station area.
- Design the development so that homes face the tracks and station area as opposed to backing in. This will establish the station area as a pedestrian realm, rather than an alley and will make light rail users feel safe. Perhaps the portions of the development adjacent to the tracks have a frontage road as a buffer.

RESPONSE G-1: The Santa Clara Valley Transportation Authority's project design preferences are acknowledged. These comments will be considered by Planning staff and by the decision makers (Planning Commission and City Council) as part of their review of the project proposal. Incorporation of any of the design recommendations is not necessary to mitigate any impacts to a less-than-significant level, and is not anticipated to result in any additional environmental impacts.

COMMENT G-2: VTA recommends that the developer not be required to provide street parking along Race Street in order to Maintain LRT Station visibility and provide a friendly pedestrian environment near the LRT station entrance.

RESPONSE G-2: The project currently proposes to provide adequate on-site parking spaces to meet the City's parking requirements. The VTA's parking recommendations regarding on-street parking are acknowledged and will be considered by the Department of Public Works and by Planning staff, the Planning Commission, and the City Council as a project issue.

H. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE WILLOW GLEN NEIGHBORHOOD ASSOCIATION DATED JANUARY 2, 2007.

COMMENT H-1: Project Description

The DEIR, p.29 indicates up to 5,000 square feet of retail space proposed for Area 2 would be located on the ground floor of the building located on Lincoln Avenue at the current site of the San José Medical Office Building. However, at the most recent community meeting the proponent conceded that, given the current lease agreement of San Jose Medical, this development practically would not occur for 20 years or more. Such a delay makes the promise of this neighborhood serving retail use most unlikely either in the short or long term.

Alternative locations should be considered where there is some guarantee that the commercial uses would actually be built. One such alternative is the Race Street periphery of the project site. Such a location would be even more accessible to the existing residential development along Auzerais between Race Street and Meridian. Another possibility is modification of the current leases along Lincoln to enable the construction of the commercial uses on this frontage while retaining existing parking capacity for these lease holders.

RESPONSE H-1: The Neighborhood Association's desire to have retail uses in earlier phases is acknowledged. The relocation of proposed retail space would not result in any new significant environmental impacts not previously identified in the Draft Environmental Impact Report prepared for the project. The Transportation Impact Analysis for the project assumed a reduction of nine peak hour trips (out of 727 estimated net new trips) due to the presence of retail on the site. The addition of these trips to the roadway network due to a delay in the construction of the retail component of the project would not result in a significant impact at any of the study intersections. The phasing of retail does not result in any significant environmental consequences.

COMMENT H-2: Hydrology

The DEIR indicates the project will increase permeable surface, thereby reducing runoff. However, it is not clear what happens to the water percolating through this permeable surface, especially that associated with the podium. There (DEIR, p.140), the project will use permeable podiums which consist of paving stones underlain with gravel or drain rock over-lying a sloped concrete structural pad with waterproofing/protection board/drain mat. What happens to the drain water once it reaches the concrete pad? Will it be directed to a holding pond and then drain to the subsurface soil or what? A drain line is shown in Figure 17, but there is no indication as to where that drain outflows. If the podium drain water ultimately flows to the city storm drain, to call it a permeable surface is misleading.

RESPONSE H-2: Although the project is not required to install hydromodification control measures, the use of a permeable podium is providing flow control benefits that further the intent of City Council Policy 8-14, which states that, "projects which are...required to install post-construction treatment control measures (TCMs) under Policy 6-29 are encouraged to install TCMs with flow control benefits." The use of "permeable podium" techniques will reduce the estimated peak flow rate for stormwater discharges from the site, as compared to existing conditions. The underlying gravel layer allows the rate of runoff to slow substantially, thereby "mimicking" natural conditions, whereby stormwater infiltrates into the soil and flows beneath the ground surface to nearby creeks for discharge. Subdrains within the podiums will route stormwater to the media filtration units for additional pollutant removal prior to discharge to the local storm drainage system. The media filtration unit will capture large particles, oil, and grease as stormwater is pushed by gravity through a porous medium.

As identified in the Draft EIR, the project will result in an increase in "permeable" surface on the site from 24 percent (existing) to 40 percent (proposed). This increased amount of "permeable" surface includes the podium area, which is permeable in the sense that it absorbs water and then conveys it through a filtration unit to the storm sewer, as described above. The permeable podium would not allow water to infiltrate into the subsurface soil on the site.

The permeable podium, media filtration units, and other storm water treatment measures are being proposed to comply with City of San José Policy 6-29. The purpose of Policy 6-29 is to incorporate storm water runoff pollution control measures into new and redevelopment projects to reduce storm water runoff pollution from such projects to the maximum extent practicable. The permeable podium would provide filtration and slow the velocity of runoff from the site in compliance with Policy 6-29 regardless of whether it drains to the subsurface soil.

The proposed permeable podium design has been used in various projects in the City of San José, including Avalon at Cahill Park, 800 North Eighth Street, and the Markethouse Lofts.

COMMENT H-3: Biological

Typo on DEIR, p.152. *In a nesting raptor is detected*, should read If a nesting…

RESPONSE H-3: Comment noted. The corrected text is shown in *Section 4 Revisions to the Text of the DEIR* of this document.

COMMENT H-4: Hazardous Materials

According to DEIR, p.163, there is a potential impact to future project residents from a hydrochloric acid tank on the property of Reed & Graham. *IES identified additional safety measures (engineering controls) that could, if acceptable to Reed & Graham, be implemented at the Reed & Graham facility*

to further reduce the risk of an HCl release. The DEIR should indicate that this risk will be eliminated via prior action by Reed & Graham. Merely leaving this mitigation to the goodwill of R&G is inadequate.

RESPONSE H-4: In November 2006, Integrated Engineering Services (IES), a chemical engineering and hazardous materials consulting firm, evaluated the hazard posed to residents of the project site from of an accidental hydrochloric acid release at the Reed & Graham facility. This evaluation was included in Appendix G of the Draft EIR. The analysis concluded that an accidental release of hydrochloric acid, resulting in vapor concentrations at levels that would result in serious health effects or symptoms in persons on the project site, was unlikely based on the existing conditions assuming no additional safety upgrades. The existing conditions on the Reed & Graham site include a double-walled tank system and a tertiary level of protection from an existing containment berm.

Based on this analysis, the Draft EIR concluded that the unlikely possibility of a release of hazardous vapors from the Reed & Graham facility represents a less than significant hazardous materials impact for purposes of CEQA. The IES analysis identified additional safety improvements (additional valves and upgraded seismic reinforcements) that would further reduce the risk of an accidental release. The applicant has volunteered to assist Reed & Graham, Inc. in making the suggested improvements. However, the existing safety provisions and the unlikely nature of an accidental release from the Reed & Graham site constitute a less than significant safety hazard to the proposed project. Therefore, implementation of the additional improvements, while desirable, is not needed for purposes of reducing this impact to a less than significant level.

COMMENT H-5: Cultural

In view of the failure during past redevelopment of this site to actually test the onsite soils for evidence of archeological remains, we find the failure to do subsoil reconnaissance at this time puzzling. Sample corings could be completed within existing landscape areas. The results would provide a more accurate indicator of the potential for encountering archeological remains during project construction.

RESPONSE H-5: Corings have a low probability of finding buried resources. The landscaped areas, like the rest of the site, have been disturbed. Due to the developed and disturbed nature of the site, the potential for discovering intact archaeological deposits is considered low.

Mitigation measures include inspection of the site by a qualified archaeologist following removal of the existing development on the site. The identified measures are considered adequate to mitigate the possible impacts of the project on archaeological resources.

COMMENT H-6: Energy

DEIR, p. 181 says, *The proposed project would not result in a substantial increase in energy use when compared to the total energy used in California or in the City of San José.* DEIR, pp. 228-229 says, *The proposed project would contribute approximately two percent of the cumulative natural gas usage and less than one percent of the cumulative electricity and gasoline usage. Due to the proposed project's small contribution, it is concluded that the project would not result in a cumulatively considerable contribution to cumulative energy impacts.* Therefore, the DEIR says we have a situation of "Less Than Significant Impact" and no mitigation respecting energy impacts of the project is required under CEQA.

The foregoing energy impact conclusions completely ignore the energy crisis facing the world and this nation. An attitude of business as usual is hardly responsible for a city of San José's size and position as Capital of Silicon Valley.

According to the DEIR, p.178 *The City's Energy Goal is to foster development which, by its location and design, reduces the use of non-renewable energy resources in transportation, buildings and urban services (utilities) and expands the use of renewable energy resources.*

Does this energy goal have any teeth, or is it just words on paper to make people believe the city is actually doing something about one of the major environmental crises of this century? The city should conclude new residential projects of the magnitude of the Race Street GPA have a significant energy impact and require them to contribute mitigation through energy efficient design and the use of renewable energy resources.

RESPONSE H-6: The proposed project would contribute approximately two percent of the cumulative natural gas usage and less than one percent of the cumulative electricity and gas usage of the cumulative projects (General Plan amendments) currently under consideration by the City of San José. The proposed project is located adjacent to the Race Station on the Vasona LRT line. The project would encourage use of the LRT line which could reduce the energy use of the project. Several measures (refer to *Section 2.12.4* of the Draft EIR) are proposed to reduce the energy use during demolition, construction, and operation of the project. These measures would also reduce the project's contribution to the cumulative energy impacts of the project. Specific design measures will be considered as part of the Planned Development Permit and building permits process.

COMMENT H-7: Availability of Public Services

Although CEQA does not require the analysis of fiscal impacts from a proposed project, a major change in use as proposed by this project can have a significant impact on the ability of the city to fund public services. This is an environmental impact. What will be the net impact on the city's ability to provide public services associated with the razing of the industrial/ office buildings onsite and their replacement with the proposed housing units? Will the net revenue to the city for funding services increase or not?

RESPONSE H-7: A fiscal impact report that addressed these issues on a Citywide basis was prepared in February 2004. This report, entitled *Towards the Future: Jobs,*

Land Use and Fiscal Issues In San Jose's Key Employment Areas 2000-2020 was used as a basis for development of a framework for land use conversions. The San Jose City Council subsequently approved a *Framework, as a Guideline, to Evaluate Proposed Conversions of Employment Lands to Other Uses* (Framework). The Framework was last modified by the Council in November 2005.

The City identified the Midtown area, including the project site, for consideration of conversion to housing and retail uses based on the recommendations in the fiscal impact study and the City's approved Framework. One of the considerations in the Framework is the contribution of the area to the economy and job base of the City as well as the potential fiscal impact of the land use conversion on City revenue and service costs.

As noted in this comment, CEQA does not require the analysis of economic impacts unless there is an associated environmental change. Section 15382 of the CEQA Guidelines state "an economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant." The project would not directly result in the need for additional public facilities and therefore would not result in a physical effect on the environment.

The decision makers (San José City Council) may consider specific fiscal impacts of the project during the approval process; however, this information is not required to be included in the Final EIR.

COMMENT H-8: Cumulative Impacts

The 4.3.3.5 Screenline Analysis starting on DEIR p. 210 reached levels of incomprehensibility unusual even for traffic analysis. A graphic key to this analysis showing the location of the Link Sets (screenlines) is not contained in the DEIR text available online. It is contained within Appendix A, which is not part of the DEIR download available on the city's website. If the DEIR is to communicate environmental impacts to the public and decision-makers, all information necessary to the environmental analysis should be fully available to the public.

RESPONSE H-8: The comment refers to the list of screenlines presented on page 210 of the DEIR that were analyzed to identify the cumulative impacts of the project. The requested graphic showing the location of the screenlines was available in Appendix A. Following receipt of this letter the City's website was accessed to ensure that all appendices of the Draft were available for download and the identified appendix was available at that time. A graphic showing the location of the 15 screenlines is included in *Section 4 Revisions to the Text of the DEIR* in this document in order to clarify the discussion.

COMMENT H-9: The impact conclusion under Parks & Recreation on DEIR, p.233 (*New parks and recreation facilities would contribute incrementally to the impacts of development identified for each of the cumulative projects as a whole, but would not be anticipated to have new or substantially*

different significant adverse environmental impacts.) makes no sense. The prior sentence on this page is probably a more accurate statement of cumulative parks & recreation impact.

RESPONSE H-9: The text of the Draft EIR has been revised to clarify this significance statement (refer to *Section 4 Revisions to the Text of the DEIR* in this document).

COMMENT H-10: Alternatives

The discussion related to the REDUCED DEVELOPMENT SITE ALTERNATIVE – AREAS 1 AND 2 ONLY found in the DEIR, p.246 fails to evaluate the land use and visual impact of squeezing the same number of units on a smaller land area. How much higher would the structures need to be to house the same number of residential units? What would happen to the proposed pedestrian amenities?

RESPONSE H-10: The height of some buildings would be increased by up to two stories under the Reduced Development Site Alternative. The net land use effects of this alternative would be to increase the intensity of use in Areas 1 and 2 by approximately twenty percent. This does not represent a substantial increase in intensity and therefore would not result in substantial changes to land use or visual impacts; nor would pedestrian amenities, such as the sidewalks proposed throughout the site, be eliminated.

I. RESPONSES TO COMMENTS ON THE DRAFT EIR FROM THE BURBANK/DEL MONTE NEIGHBORHOOD ADVISORY COMMITTEE DATED JANUARY 4, 2007.

COMMENT I-1: 1.3.2 Planned Development Rezonings

The DEIR suggests a 0.5 acre park be placed on the northeast portion of Area 1. While this park-deficient area welcomes additional park and open space, there has been no public discussion of such an alternative and we would not support dedication of this property as part of the required in-lieu fees. While a section of the project falls outside the transit corridor boundaries, it would be more efficient to include it as part of the transportation corridor (via amendment, exception or whatever works administratively) and follow the existing plans for park development. O'Connor Park is one block from the site and a new park is mapped within walking distance on Auzerais at the Los Gatos Creek.

RESPONSE I-1: The Draft EIR analyzes a scenario with a 0.5-acre park variation to the project. The 0.5-acre park is not proposed by the project proponent. The commenter's opinion regarding a park at this location is acknowledged. As this comment does not raise an environmental issue, no further response is required in this document.

COMMENT I-2: 2.2 Population and Housing

PH-2 The projects represent significant jobs/housing imbalance that are in conflict with the City of San José's policies. While there is no proposed mitigation, care should be taken to ensure that a retail/commercial component be included at the earliest possible time. The project is in a transit corridor neighborhood already lacking in neighborhood serving businesses. While in general

supportive of this project, the community is concerned about setting a precedent for future developments that will result in loss of services. We would ask that a holistic general plan update for this area be conducted in tandem with the ongoing Greenprint update.

RESPONSE I-2: This comment relates to Citywide planning issues (e.g., availability of neighborhood-serving commercial services) and does not address the adequacy of the environmental analysis in the Draft EIR. The commenter's opinion regarding the timing of the General Plan update is acknowledged. The proposed project would not eliminate any existing neighborhood-serving retail businesses.

COMMENT I-3: 2.3.3 Mitigation and Avoidance Measures and 2.3.4 Conclusion

The DEIR states that the development will have a significant and unavoidable impact (page 102) on the level of service on the surrounding roads and intersections which cannot be mitigated. (Also noted in Section 4, 4.3.3.7-8) Although we do not suggest that this project be halted on this account, the entire area has been targeted for additional high-density housing. The City of San José must consider how low they are going to allow the level of service to drop before major, necessary, and expensive improvements are made to the surrounding roadways or no longer consider this area of District 6 viable as a target for high-density development.

RESPONSE I-3: The proposed project was analyzed for its impacts on the existing and planned transportation network in the vicinity of the site. The traffic analysis for the proposed General Plan amendments on the site identified several "long-term" impacts on the roadway network. Long-term traffic impacts consist of increases in overall vehicle miles traveled, and/or increases in traffic volume relative to the capacity of roadway segments, in the general vicinity of a given project. The potential mitigation for these types of impacts would consist of adding traffic capacity by widening entire segments of impacted public streets. However, the roadway network on which a proposed General Plan amendment is analyzed uses a traffic model that already includes all the future roadway improvements that the City plans to build within the timeframe of the General Plan. Therefore, no further mitigation measures are available for long-term traffic impacts and the identified impacts are considered unavoidable.

It is the City's policy to require mitigation for near-term level of service (LOS) impacts from a proposed project. Near-term LOS impacts consist of increased traffic delays that would occur at specifically identified signalized intersections near a project location. These impacts would occur upon build-out of a given project, as opposed to build-out of the General Plan, as described above for long-term traffic impacts. Typical mitigation consists of intersection improvements such as modification of a traffic signal or the addition of a turning lane.

For the current project, no LOS impacts were identified at any nearby intersections. The project would not contribute to the Cumulative LOS impacts identified at I-280 and Bird Avenue. Cumulative impacts are impacts that would result from other project that are under review, or approved

projects that have not yet been constructed. The proposed project is a change in land use (from office/R&D to mixed-use residential). Because of the different traffic patterns that would result from the proposed project, the project would result in fewer PM peak hour trips at nearby intersections, compared to full occupancy of the existing buildings with the current office/R&D land uses.

The commenter's concerns regarding the deterioration in LOS at intersections with the additional development of high density residential land uses in the project area are noted. All subsequent proposals for residential development in the area will be analyzed based on the City's LOS Policy and mitigation measures may be required, as applicable.

COMMENT I-4: Appendix A Traffic

Northrup Street (pg 54) is currently listed as awkward and dangerous. Significantly increasing traffic in this area would present hazardous conditions. If Northrup cannot be vacated, it should be converted to exclude the dangerous left turns currently allowed. It is not enough for the development to create right-in right-out controls of their access points; the city must change the overall traffic flow.

RESPONSE I-4: The Transportation Impact Analysis prepared for the project determined that several measures could be used to improve Northrup Street traffic operations including a right-in/right-out only movement from the project driveway, converting Northrup Street to one-way, prohibiting left-turns onto the roadway from Lincoln Avenue, or closing the street. Prior to issuance of a Planned Development permit for portions of the site using this driveway, the City's Public Works and Transportation Departments will determine which of these recommendations will best enhance the project interface with this roadway.

COMMENT I-5: Truck access (pg 57) is noted as challenging. The project should ensure access for emergency vehicles, garbage trucks, etc. as stated in the DEIR.

RESPONSE I-5: The s-curve on the northeast end of the project site was noted as possibly challenging for larger trucks, however, the internal surface roadway network was found to provide efficient on-site circulation for large trucks and emergency vehicles. The proposed roadway design, therefore, would not result in a safety impact and no further discussion is warranted in the EIR.

COMMENT I-6: The narrative concerning schools (pg 60) contains outdated information concerning local schools. Broadway High School is now housed at Rivermark and is a K-8 magnet school located outside the immediate area. In addition, the concept that in promoting a Safe Walk to Schools program we can ensure safe passage for children who must cross a two lane (with unprotected sidewalks) bridge on Auzerais then traverse freeway intersections on Bird Avenue to get to Gardner Academy is ludicrous at best. While the project cannot be held responsible for the poor existing pedestrian infrastructure, ignoring the problem is not an option. If the City of San José is serious about developing sustainable infill housing then it must commit to developing an alternate

method for pedestrians along the Auzerais/Bird corridor. This has been addressed in previous EIRs for the area and is of concern to residents in both District 3 and District 6.

RESPONSE I-6: Broadway High School is currently located in South San José on Speak Lane. Its former location on Broadway Avenue, approximately 0.75 miles south of the project site, is currently used as River Glen Elementary and Middle School. The educational program at this kindergarten through eighth grade school is focused on two-way Spanish-English immersion.

As stated in the Draft EIR, the project site is located within the attendance boundaries of Gardner Elementary School (Gardner Academy), Hoover Middle School, and Lincoln High School.[2] Gardner Elementary School, Hoover Middle School, and Lincoln High School are located approximately 1.3 miles, 1.25 miles, and 1.2 miles from the project site, respectively. None of these schools is close to the project site and it is expected that most students will not walk to school. However, pedestrian infrastructure in the vicinity of the project site was reviewed by the City's traffic engineers and determined to provide adequate and safe pedestrian access to all of the surrounding land uses in the immediate area. It should be noted that the proposed project includes installation of public sidewalks along street frontages where sidewalks do not currently exist. Upgraded pedestrian crossings and street lighting would also be provided as part of the proposed project. The proposed project's design provides adequate access to the site for school buses, if necessary for transportation of students.

COMMENT I-7: While this project will increase the number of children attending local schools, it is not large enough to severely impact the schools. It does, however, add incrementally to a problem that is not being addressed on a more global level.

RESPONSE I-7: The proposed project will be required to pay school impact fees, in accordance with State law, prior to issuance of a building permit in order to reduce the impacts to school facilities.

COMMENT I-8: The resulting traffic study on page 65 is, therefore, incorrect as it does not take into account the number of trips that will be added to normal traffic patterns because there is no existing safe way for children to walk or bike to Gardner Academy.

RESPONSE I-8: The trip generation rates used in the traffic analysis did not assume any reduction in vehicle trips based on students walking to school. The project trip generation and trip distribution is representative of typical high density residential uses, with most students traveling to school by automobile. The rates take into account any vehicle trips made from a residential land use, including those trips attributable to students being dropped off at school.

COMMENT I-9: Because the traffic studies note service level reduction and several key intersections, offsetting improvement mitigations previously identified by the community must be added to the project. (See DOT LOS study)

[2] Bob Gonzales, Director of Student Assignment and Demographics. Email communication. January 11, 2007.

RESPONSE I-9: As previously stated (refer to Response I-3), the proposed project would not result in significant intersection LOS impacts at any study intersection, including the protected intersections in the vicinity of the site that were the subject of the Department of Transportation's LOS study. No offsetting improvement mitigations, therefore, would be required of the project.

COMMENT I-10: The project proposed parking is in excess of city standards. We feel that the parking ratio proposed answers the needs of the developer and the needs of the existing neighborhood.

The developer knows from experience what this type of project requires and is comfortable with the parking ratio. The existing neighborhood already suffers from on street parking problems because recent developments were built with a lower parking ratio as allowed in a transit corridor. The proposal would not exacerbate an existing condition. We would not support recommendations to reduce the parking by any significant amount and are pleased that the developer is willing to increase required parking limits.

RESPONSE I-10: The commenter's opinions regarding the provision of parking on the site are acknowledged. The proposed parking for the project exceeds the City's parking requirements for the proposed uses.

COMMENT I-11: Appendix C Noise Impacts and Mitigation Measures

It is noted that noise from adjacent transportation links will result in a higher than allowed decibel reading inside the units. The recommendation is that the units facing these links have sound reducing windows and that some of the windows be permanently sealed. The narrative also notes that the noise would be excessive on patios and/or balconies. The question then becomes: If the patio/balcony areas are not functional due to proximity to transit noise will they be considered eligible for private open space credits, or can the problem be resolved through mitigation?

RESPONSE I-11: The City acknowledges that the exterior noise quality levels in the environs of the San José International Airport, the Downtown Core Area, and along major roadways may not be achieved in the time frame of the General Plan. Although noise levels are elevated along the street frontages of the project site the balconies would still serve their functional purpose as private open space. Acoustically protected common open space would also be provided in the courtyards of the proposed buildings. No mitigation would be feasible to reduce the exterior noise levels in the private balconies of units facing the adjacent roadways below the City's exterior noise goals.

COMMENT I-12: While there is discussion concerning the impact of construction noise/vibration on adjacent businesses and homes, the construction will wrap around the San José Medical Center facility. Has there been any determination concerning effect on the SJMC site?

RESPONSE 1-12: The San José Medical Group operates a medical office building on a portion of the site. The building does not include hospital beds and is used solely as medical offices. This is not considered a highly sensitive land use. Construction noise may be a source of annoyance to people working at these

offices; however, it would be reduced or avoided to the extent practical through the measures identified in *Section 2.5.3* of the Draft EIR.

COMMENT I-13: Due to the high rate of current construction truck traffic (see recent DOT study) in this area, it is not recommended that waivers be given to construction (see pg 22) outside the 7am-7pm time zone. In fact, care should be taken that all construction vehicles, including the personal vehicles of workers should be housed/parked off public streets and must comply with the time limitations. Again, special care should be given to the adjacent SJMC property.

RESPONSE I-13: No waivers are being proposed as a part of the project.

It is recognized that there is a short supply of parking in the vicinity of the project, particularly to the west of the project site. The City's parking requirements on public streets will be enforced for both construction workers and residents.

COMMENT I-14: Appendix D Stormwater Quality Control

Permeable materials should be maximized on the site whenever possible with runoff meeting current standards.

RESPONSE I-14: This comment is acknowledged. As it does not raise a new environmental issue, no further response is required.

COMMENT I-15: Spelling error page 6 under Permeable Plazas. Should be "...paving techniques, an underdrain system…"

RESPONSE I-15: Comment noted. The corrected text is shown in *Section 4 Revisions to the Text of the DEIR.*

COMMENT I-16: While runoff is discussed for post-construction, care and control should be taken during the construction period.

RESPONSE I-16: Please refer to *Section 2.6 Hydrology and Water Quality* of the Draft EIR for a discussion of the impacts and mitigation measures to protect water quality during the construction phase of the project.

COMMENT I-17: The narrative under Permeable Podium (pg 11) that determines how the site should be cleaned is specific about vacuuming, power washing, etc. Does the city have standardized requirements?

RESPONSE I-17: The City's Post-Construction Urban Runoff Management Policy (6-29) established general guidelines and minimum Best Management Practices (BMPs) for specified land uses, and includes the requirement of regular maintenance to ensure their effectiveness. The best management practices (BMPs) proposed by the project to treat stormwater runoff from the site will be implemented in accordance with the Planned Development (PD) permit approved for the project. The applicant will be required to conform to all of

the provisions of the PD permit approved for the project, including the installation and maintenance of BMPs.

COMMENT I-18: Appendix E Geotechnical Investigation

Considering the scope of this project and the density of the buildings proposed we question whether the soil exploration is complete. There has been no in depth analysis previously and as indicated in 2.3 on page 2, there is "...4-6 feet of glass, concrete, plastic, and other debris…" which needs further exploration. Recognizing that the buildings will cap the underlying materials, we are concerned more with the integrity of subsoil.

RESPONSE I-18: Subsoil conditions, including undocumented fills, are addressed in the EIR. As discussed in *Section 6.2* of the Geotechnical Investigation included in Appendix E of the Draft EIR, all fills will be removed to native soil within building areas. If the existing undocumented fill material meets the criteria for project fill material contained in the Geotechnical Investigation then it may be recompacted on-site. As discussed in *Section 2.7 Geology, Soils, and Seismicity* of the Draft EIR, the project will be constructed in accordance with the California Building Code as adopted by the City of San José, which includes provisions for characterization of soil materials and building foundation requirements by a professional geotechnical engineer or engineering geologist.

COMMENT I-19: Summary

The developer has worked with neighborhood groups to address questions and concerns. This project has been supported by the community because we have been able to work collaboratively. Recognizing our area is along a transit corridor and has significant areas of underutilized commercial and industrial space, we accept and welcome such development but we are more concerned with the large picture. We are setting precedents that cannot be sustained on a neighborhood or city wide level.

Transit oriented development cannot continue to be developed in an area that is losing commercial/ retail/business capability. If we do not begin to balance the jobs/housing ratio and if we do not begin to develop services for this area, the residents of incoming high density housing will be forced into cars to go to work or obtain the basics of day to day living. Transit oriented development by definition includes jobs; we are not providing space for them. We cannot create a safe, walk able neighborhood if we continue this way.

Additionally, the cumulative vehicle, pedestrian and bicycle transportation congestion has reached a critical stage. In a neighborhood already deficient in these areas, each project adds to the problem and does not trigger proactive planning for relief.

Each incoming project brings a new group of children to our local schools. This project, like the others, does not trigger action but does contribute to cumulative problems. Local schools have minimal ability to expand. Existing residents have no safe means of walking children to school and there are no plans to increase pedestrian or bicycle safety along Auzerais. This is a situation that must be addressed sooner rather than later.

This project will contribute significantly to the purchase of targeted park land. The area is, however, so deficient, that the contribution of this project will not significantly reduce the pressure on existing and proposed sites. Before any further projects come forward there must be a comprehensive plan to address these problems.

This area has been declared blighted in large part to poor long term planning. We cannot continue to contribute to poor conditions by saying, "This project doesn't trigger need for relief" while ignoring cumulative negative impacts. We do not want to be in the position of working against projects of this quality because the global issues are not being addressed.

While we believe this project will significantly enhance part of our district, we will be hard pressed to support future developments unless there is a comprehensive and detailed general plan update.

RESPONSE I-19: The Neighborhood Advisory Committee's concerns regarding the intensification of residential development in the project area are acknowledged. These concerns include insufficient retail uses to serve the residential uses, a desire for improved pedestrian and bicycle facilities for school children, and increased demand and need for park facilities in a park deficient area. Because this comment does not raise an environmental issue, no further response is required in this document.

SECTION 4 REVISIONS TO THE TEXT OF THE DEIR

The following section contains revisions to the text of the Draft Environmental Impact Report, Race Street General Plan Amendments and Planned Development Rezonings, dated November 2006. Revised or new language is underlined. All deletions are shown ~~with a line through the text~~.

Page 109 Section 2.4.3.2 Discussion of Air Quality Impacts, Paragraph 3; **revise** the following text:

The City is estimating that the population of San José at General Plan Buildout will be approximately ~~1.27~~ 1.32 million, which is higher than the 1.15 million people projected for San José by 2025 in *Projections 2002*.

Page 152 Section 2.8.3, Mitigation Measures BIO-1.1; **revise** the first sentence after the second bullet:

~~In~~ If a nesting raptor is detected, an appropriate construction buffer shall be established.

Page 169 Section 2.11.1, Water Supply and Water Service; **revise** the last two sentences of the first paragraph:

It is estimated that the existing office buildings within the area covered by the proposed PD rezonings, if fully occupied could use approximately ~~465,000~~ 78,253 gallons of water per day. The building at 505 Lincoln Avenue that is part of the GPA (GP05-06-02) is approximately 37,000 square feet in size and would use approximately ~~49,500~~ 8,325 gallons of water per day.[34]

Page 169 Footnote 34; **revise** the following text:

Based on a water usage rate of ~~1.3375~~ 0.225 gallons per day/square foot for office buildings.

Page 170 Section 2.11.1, Existing Sanitary Sewer Lines; **revise** the last paragraph:

It is estimated that the office/R&D buildings to be demolished as part of the project could generate approximately ~~372,141~~ 62,603 gallons of sewage per day.[35] The existing office/R&D building at 505 Lincoln Avenue could generate approximately ~~39,600~~ 6,660 gallons of sewage per day.[36]

Page 170 Footnote 35; **revise** the following text:

~~Noori, John.~~ Golobic, Gene. Kier & Wright Civil Engineers & Surveyors, Inc. Email communication. ~~May 30, 2006.~~ January 31, 2007.

Page 170 Footnote 36; **revise** the following text:

Assumes a 37,000 square foot building and sewage generation rate of ~~1.07~~ 0.18 gallons per day per square foot.

Page 173 Section 2.11.2, Water Service and Supply; **revise** the last sentence of the first paragraph:

This water usage represents ~~a decrease~~ an increase of approximately ~~269,700~~ 158,222 gallons per day when compared to the existing uses.

Page 174 Section 2.11.2, Sanitary Sewer/Wastewater Treatment; **revise** the first paragraph:

The proposed project would ~~reduce~~ increase the demand for sanitary sewer services when compared to the existing development, if fully occupied. The allowed uses on the site would generate approximately 193,500 gallons of wastewater per day. The proposed project would therefore ~~decrease~~ increase the potential amount of wastewater generation from the site by approximately ~~218,241~~ 124,237 gallons of wastewater per day. The project~~, therefore,~~ would incrementally increase sanitary sewer demand; however, it is not anticipated to result in the need for expansion of the existing sanitary sewer lines serving the site or an increase in capacity at the wastewater treatment plant.

Page 174 Section 2.11.2, Impact UTIL-2; **revise** the first sentence of the paragraph:

The proposed redevelopment of the site with residential and commercial uses would result in ~~a net reduction~~ an increase in estimated wastewater generation.

Page 193 Section 4.2 LIST OF CUMULATIVE PROJECTS; **revise** Figure 18 as shown on page 27 of this document.

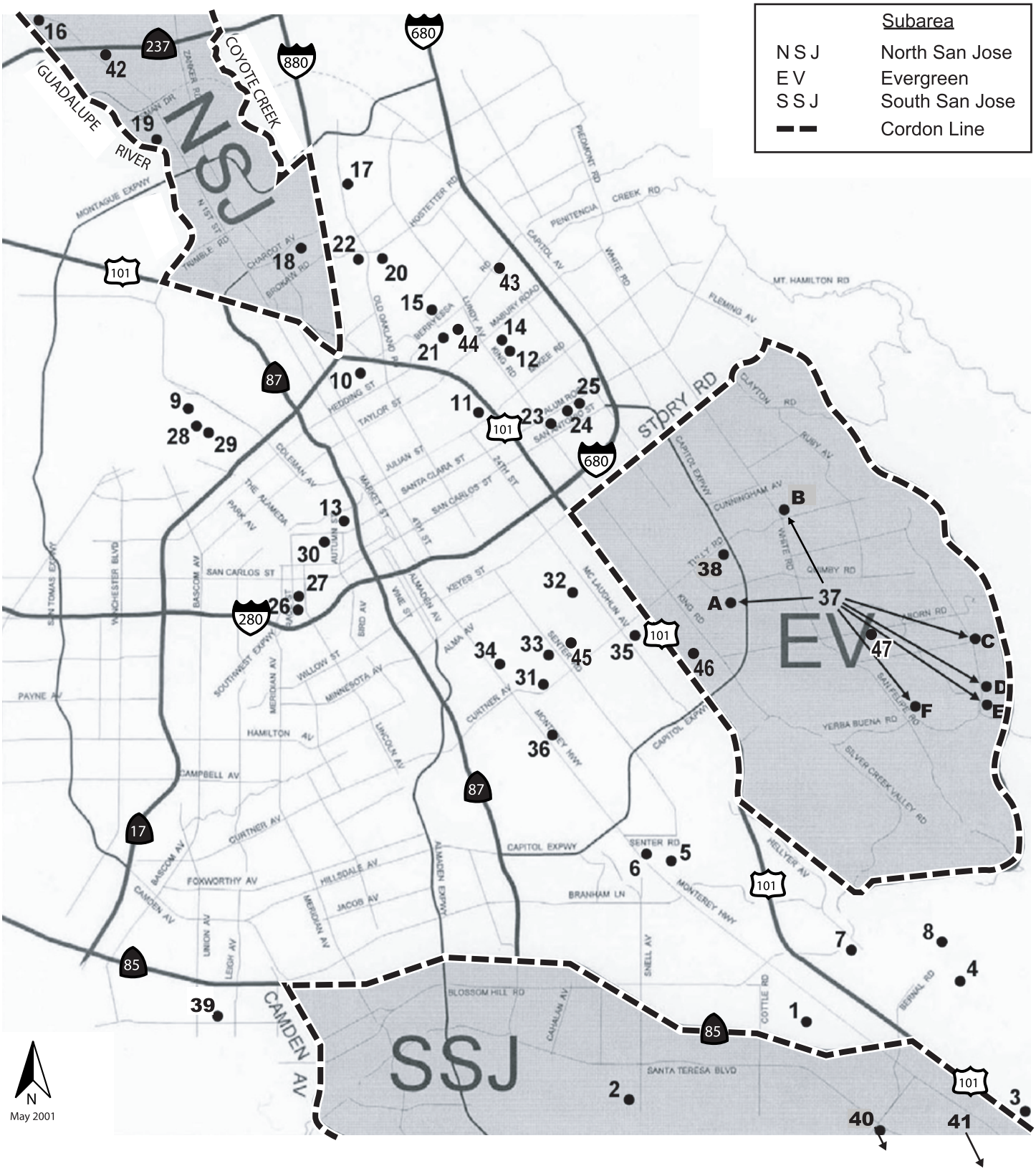
Page 200 Section 4.2 LIST OF CUMULATIVE PROJECTS; **revise** page 200 (Table CUMULATIVE-1) to include additional General Plan Amendments as shown on page 28 of this document.

Page 204 Section 4.3.1.1 Introduction; **revise** the first sentence of the paragraph:

Approval of the proposals under consideration (see list of cumulative GPAs in Table CUMULATIVE-1) would allow substantial development/redevelopment of over ~~4,448~~ 4,535 acres of land within the City of San José, most of which is currently vacant/undeveloped land.

Page 204 Section 4.3.1.2 Cumulative Land Use Compatibility Impacts; **revise** the last sentence of the third paragraph:

Approval of ~~16~~ 20 of the cumulative GPAs currently proposed, including the proposed GPAs, would result in additional residential units being allowed adjacent to industrial uses.



Source: Hexagon Transportation Consultants

CUMULATIVE PROJECT LOCATIONS
AND SPECIAL SUBAREAS

FIGURE 18 (REVISED)

Table CUMULATIVE-1
List of Cumulative General Plan Amendments

Map #	File Number	Project Location	Existing General Plan Designation	Proposed General Plan Designation	Project Size (acres)	Result of GP Change	
						Households	Jobs
42	GP06-04-03	Southeast corner of Highway 237 and North First Street	Industrial Park with Mixed Industrial Overlay	Combined Industrial/ Commercial	36.3	0	-964
43	GP06-04-04	Southeasterly corner of Berryessa Road and Jackson Avenue	Neighborhood/ Community Commercial on 6.4 acres, High Density Residential (25-50 DU/AC) on 7.2 acres, and Medium Density Residential (8-16 DU/AC) on 0.9 acres	Medium High Density Residential (12-25 DU/AC) on 14.5 acres	14.5	-6	-98
44	GP06-04-05	Southeast side of Berryessa Rd. approximately 770 feet southwest of North King Rd.	Light Industrial	Transit Corridor Residential (20+ DU/AC)	13.6	+750	-22
45	GP06-07-04	East side of Senter Rd. approximately 680 ft south of Wool Creek Dr.	Light Industrial	General Commercial	3.6	0	-18
46	GP06-07-05	Both sides of Towers Lane, between Aborn Road and Amberly Lane	Industrial Park	Medium Low Density Residential (8 DU/AC)	3.4	+25	-165
47	GP06-08-01	Southwest corner of Aborn Road and Ruby Avenue	Village Center and Public Park/Open Space	Village Center and Medium High Density Residential (12-25 DU/AC)	15.13	+244	-89
				Totals	~~4,448.86~~ 4,535.39	~~+39,629~~ +40,642	~~+9,852~~ +8,496

*The estimates of jobs accounts for the existing entitlement of approximately 20,000 jobs in Coyote Valley.
** Subsequent to completion of the transportation impact analysis, the following proposed General Plan amendments were withdrawn and are no longer considered pending projects: GP05-03-06, GP05-04-04, GP06-06-01, GP05-07-02.

Page 205 Section 4.3.2 Cumulative Population and Housing Impact; **revise** the last sentence of the second paragraph.

Under cumulative conditions there would be approximately ~~0.92~~ 0.90 jobs per employed resident, which is inconsistent with the City's objective of a jobs/housing balance of greater than 1.0 jobs per employed resident objective in the City's General Plan.

Page 206 Section 4.3.2 Cumulative Population and Housing Impacts; **revise** Table CUMULATIVE-2.

Table CUMULATIVE-2
Breakdown of Projected Jobs, Population, and Housing in San José

	Projected Buildout	
	Current General Plan*	**With Cumulative Projects**
Households	411,600**	~~426,229~~ 427,242
Persons per Household***	3.2	3.2
Population	1,317,120	~~1,363,933~~ 1,367,179
Employed Residents per Household	1.5	1.5
Employed Residents	617,400	~~639,344~~ 656,243
Jobs	608,800	~~588,652~~ 587,296
Jobs per Employed Resident	0.99	~~0.92~~ 0.90

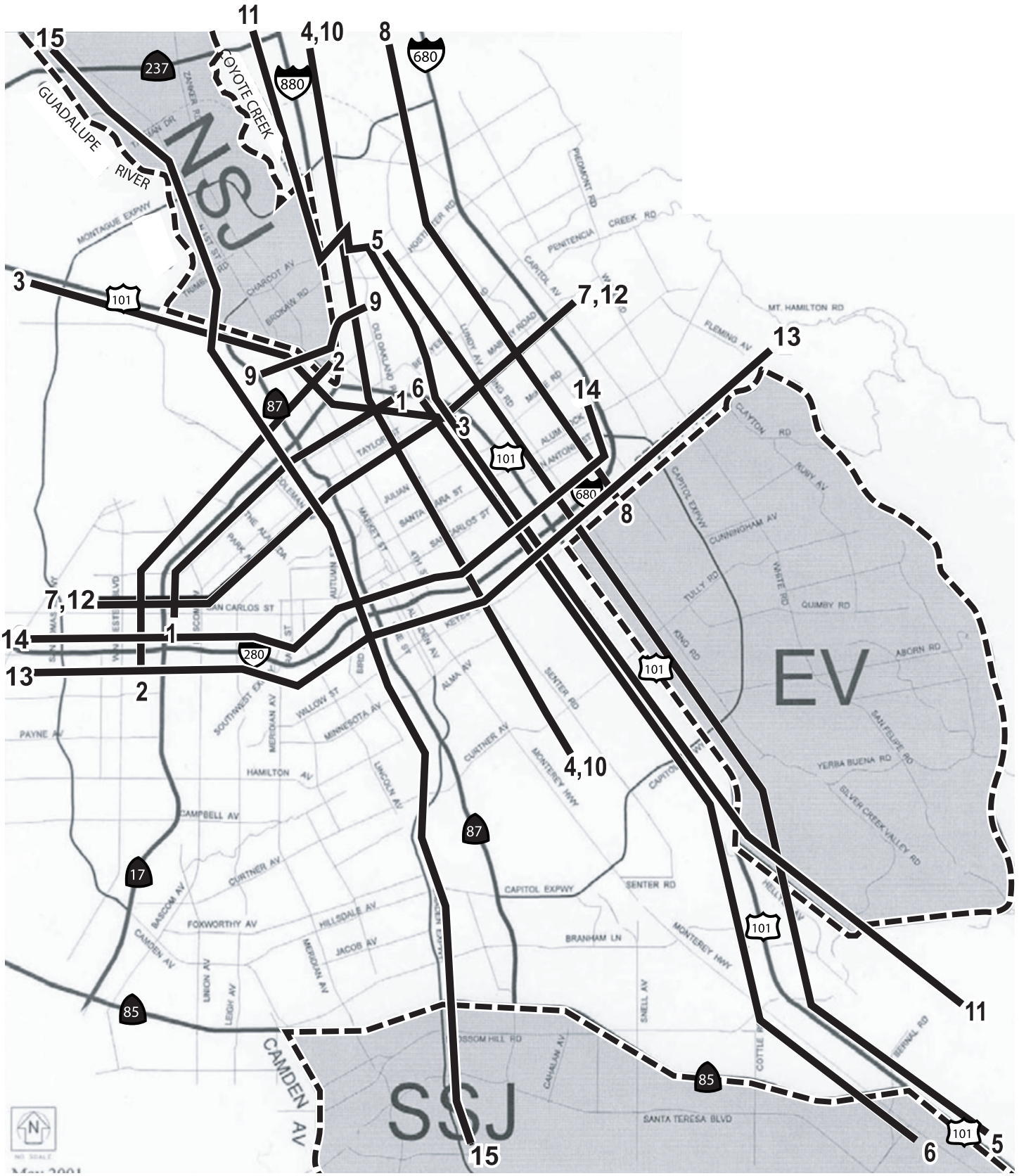
Notes:
*Based on City of San Jose. *Evergreen East Hills Vision Strategy Draft EIR.* February 2006; Projections 2005.
**Includes assumption of 30,000 jobs and 25,000 households in Coyote Valley.
***Persons per household (pph) was rounded up from 3.18 pph identified in *Projections 2005*.

Page 207 Section 4.3.3.1 Introduction; **insert** the following text above the subheading *Near-Term Cumulative Projects*:

Subsequent to circulation of the Draft EIR, an updated cumulative CUBE model run was completed for pending projects in the City of San José which included an additional six General Plan amendments in the analysis (refer to revised Table CUMULATIVE-1). The results of the updated cumulative CUBE model run completed in November 2006 were compared to the cumulative model run described in the Draft EIR. The project would not make a cumulatively considerable contribution to any of the new significant cumulative impacts identified in the November 2006 analysis.[3] The project would not result in significant cumulative transportation impacts other than those identified in the following discussion.

Page 212 **Insert** Figure 18a Cumulative Regional Screenlines, as shown on page 30.

[3] Ma, Paul, Transportation Systems Planning Manager. City of San José Department of Transportation. Email communication. January 17, 2007.



CUMULATIVE REGIONAL SCREENLINES

FIGURE 18a

Page 220 Section 4.3.4 Cumulative Air Quality Impacts; **revise** the first sentence of the first paragraph.

The combined projects that are evaluated in this cumulative impact analysis would change the City's adopted General Plan by increasing the population allowed by the plan by adding approximately ~~39,630~~ 40,640 dwelling units and increasing the number of jobs planned in the City by approximately ~~9,850~~ 8,500.

Page 229 Section 4.3.8 Cumulative Public Facilities and Services Impacts; revise the last paragraph on the page.

As described in the introduction to this Cumulative Chapter, the City of San José is currently considering four major long-term projects that propose development and/or intensified redevelopment on approximately 4,138 acres, as well as ~~33~~ 39 other General Plan amendments that cover approximately ~~310~~ 397 acres. When compared to buildout under the approved San José General Plan, approval and buildout of all of the cumulative projects would result in a net increase of approximately ~~9,850~~ 8,500 jobs and ~~39,630~~ 40,640 dwelling units.

Page 233 Section 4.3.8.3 Parks and Recreation; **revise** the first sentence of the third paragraph on the page.

Assuming 3.2 persons per household, the ~~39,318~~ 40,640 dwelling units proposed by the cumulative projects would result in approximately ~~125,817~~ 130,048 residents and a corresponding cumulative demand for approximately ~~440~~ 455 acres of neighborhood serving parks, ~~943~~ 975 acres of regional parkland, and ~~62,908~~ 65,024 square feet of community center space.

Page 233 Section 4.3.8.3 Parks and Recreation; **revise** the following text:

CUMULATIVE PS-3: ~~**New parks and recreation facilities would contribute incrementally to the impacts of development identified for each of the cumulative projects as a whole, but would not be anticipated to have new or substantially different significant adverse environmental impacts.**~~ **The proposed cumulative developments will result in an increase in demand for parks and recreation facilities. Each development will offset its increased demand by implementing the provisions of the City's Parkland Dedication Ordinance. (Less Than Significant Cumulative Impact)**

Page 247 Section 7.4.1 Comparison of Impacts; **insert** the text below following the third full paragraph:

Land Use Impacts

The height of some buildings might be increased by one or two stories under the Reduced Development Site Alternative. The net land use effects of this alternative would be to increase the intensity of use in Areas 1 and 2 by approximately twenty

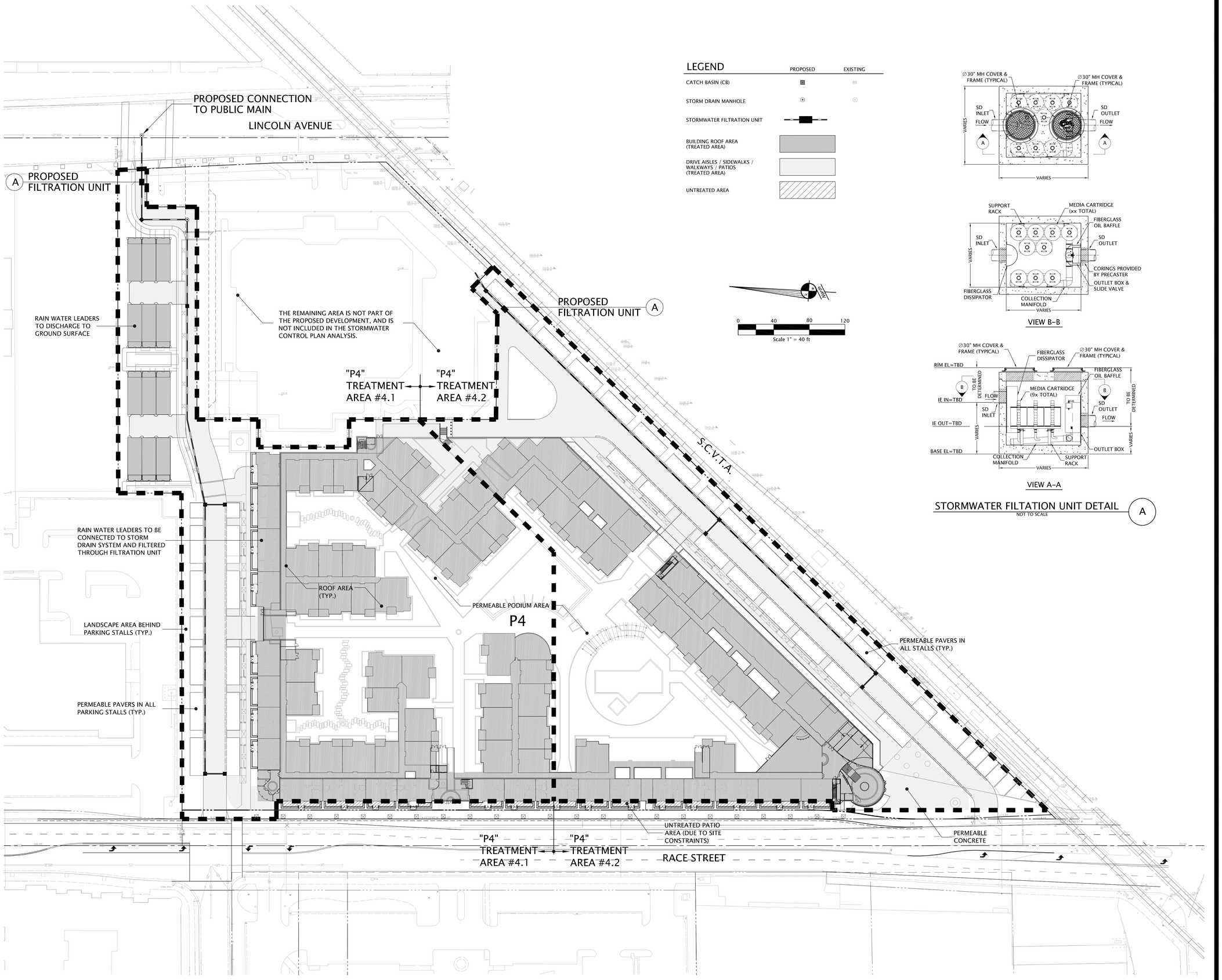
percent. This does not represent a substantial increase in intensity and therefore would result in similar land use and visual impacts as the proposed project.

Appendix D Section 5. Potential BMPS; **revise** the following text:

As with other permeable pavers, ~~and~~ an underdrain system would be necessary to convey storm water to the local storm drainage system

Insert to Appendix D

Conceptual Stormwater Control Plans (SWCP) and Conceptual SWCP Sizing Calculations



LEGEND

	PROPOSED	EXISTING
CATCH BASIN (CB)	■	▫
STORM DRAIN MANHOLE	⊙	⊙
STORMWATER FILTRATION UNIT	▬	
BUILDING ROOF AREA (TREATED AREA)	▒	
DRIVE AISLES / SIDEWALKS / WALKWAYS / PATIOS (TREATED AREA)	▒	
UNTREATED AREA	▨	

NORTH

0 40 80 120

Scale 1" = 40 ft

VIEW B–B

VIEW A–A

STORMWATER FILTATION UNIT DETAIL A
NOT TO SCALE

Race Street Residential
GENERAL DEVELOPMENT PLAN
PD NORTH

Sobrato Development Companies
San Jose, CA

SOBRATO
DEVELOPMENT COMPANIES

REVISIONS

DATE	DATE	DATE

SHEET TITLE

CONCEPTUAL STORMWATER CONTROL PLAN

KIER & WRIGHT
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Santa Clara, California 95054
(408) 727 6665
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SHEET NUMBER 4–0.9

JOB NO. A04270
DATE 12.20.06
SCALE AS SHOWN

MVE STUDIO

Xref's: C-TOPO, C-SITE-NRTH, C-BNDY-RECORD, C-MGMT-NOTH2, C-TTLB-NOTH, C-GRAD-NRTH, C-SITE-CIVL, C-LDSP-NOTH USER: bcarrera I:\PROJECTS\A04270\DWG\PLANNING\PD REZONE\PD NORTH\4-0.9-MGMT.dwg DECEMBER 19, 2006 5:41 PM

"P4" – TREATMENT AREA # 4.1

STORMWATER CONTROL PLAN NOTES

1. THE SITE IS SLOPING FROM SOUTHWEST CORNER ON RACE STREET TOWARDS THE NORTHEAST CORNER ON LINCOLN AVENUE WITH APPROXIMATELY 8 FEET OF ELEVATION DIFFERENCE RANGING FROM ELEVATION 116 TO 108, RESPECTIVELY.

DUE TO SITE COVERAGE CONSTRAINTS WITH THE PODIUM DENSITY AND STREET DEDICATION REQUIREMENTS, SUFFICIENT SPACE FOR ADEQUATE BIOSWALES IS UNAVAILABLE ON THE PROJECT SITE, HOWEVER, NEARLY 100% OF THE TOTAL SITE WILL BE TREATED BY A COMBINATION OF PERMEABLE MATERIALS AND MECHANICAL TREATMENT VAULTS AS SHOWN ON THE PLAN AND SIZING CALCULATIONS.

2. THE SITE IS NOT IN A SPECIAL FLOOD HAZARD AREA. THE FLOOD ZONE DESIGNATION FOR THE SITE IS ZONE "D"; AREAS OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS.

3. THE SITE STORM DRAIN RUNOFF WILL BE FILTERED PRIOR TO DISCHARGE TO THE PUBLIC MAINS. THE PUBLIC MAINS EVENTUALLY DISCHARGE TO LOS GATOS CREEK, APPROXIMATELY 1,500 FEET EAST OF THE PROJECT SITE.

4. POTENTIAL POLLUTANTS INCLUDE MOTOR VEHICLE LUBRICANTS, COOLANTS, ROOF DEBRIS, LITTER AND DEBRIS. POLLUTANT SOURCE AREAS INCLUDE THE DRIVE AISLES, THE ROOFS OF THE BUILDING, AND THE SITE STORM DRAIN INLETS. ALL INLETS WILL BE MARKED "NO DUMPING – DRAINS TO BAY". THE DRIVE AISLE SHALL BE SWEPT REGULARLY TO PREVENT THE ACCUMULATION OF LITTER AND DEBRIS.

5. THE STORM DRAIN FILTRATION UNIT SHALL BE MAINTAINED ONCE A YEAR BEFORE THE RAINY SEASON BEGINS IN OCTOBER. THE MAINTENANCE OF THESE UNITS CONSISTS OF CLEANING AND REMOVAL OF ACCUMULATED DEBRIS AND REPLACEMENT OF FILTRATION CARTRIDGES ONCE A YEAR OR AS NEEDED PER INSPECTIONS.

6. THE COSTS OF ALL MAINTENANCE WILL BE BORNE BY THE PROPERTY OWNER OR ASSOCIATION.

7. CONVEYANCE OF 10-YEAR STORM:

TREATMENT AREA	TOTAL DRAINAGE AREA	FLOW	FLOW ANALYSIS
"P4.1"	118,670 S.F. (2.72± AC)	4.41 CFS	FILTRATION UNIT TO HAVE ADEQUATELY DESIGNED OVERFLOW TO ACCOMMODATE 10-YEAR STORM

NOTE: 10-YEAR STORM FLOW IS CALCULATED UTILIZING AN INTENSITY OF 1.8 INCHES PER HOUR AND A RUN-OFF COEFFICIENT OF 0.90 FOR ALL IMPERVIOUS TREATED AREAS.

STORMWATER TREATMENT SUMMARY

TOTAL SITE AREA	196,020 S.F.	(4.50± AC)
TOTAL SITE AREA TO BE DEVELOPED	196,020 S.F.	(4.50± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED AND TREATED WITHIN THE SITE DEVELOPMENT AREA	118,670 S.F.	(2.72± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED BUT NOT TREATED WITHIN THE SITE DEVELOPMENT AREA	3,160 S.F.	(0.07± AC)
TOTAL PERCENTAGE OF STORM DRAIN RUNOFF FROM IMPERVIOUS AREAS BEING TREATED		97%

POST DEVELOPMENT AREA CALCULATIONS

AREA	LEGEND	SIZE (S.F.)	SIZE (AC)	% OF SITE
BUILDING ROOF (DIRECTED TO AND TREATED BY FILTRATION UNIT)		85,010 S.F.	1.95± AC	43%
DRIVE AISLES, SIDEWALKS, & PATIOS (DIRECTED TO AND TREATED BY FILTRATION UNIT)		33,660 S.F.	0.77± AC	17%
LANDSCAPE AREAS (SELF-TREATING)		20,057 S.F.	0.46± AC	10%
PODIUM & PARKING STALLS (SELF-TREATING PERVIOUS PAVERS)		54,133 S.F.	1.24± AC	28%
UNTREATED AREA (DUE TO SITE CONSTRAINTS)		3,160 S.F.	0.08± AC	2%
TOTALS		196,020 S.F.	4.50± AC	100%

FILTRATION UNIT SIZING CALCULATIONS

TREATMENT FLOWRATE OF WATER-QUALITY STORM EVENT (WQSE)

IN ACCORDANCE WITH THE CALIFORNIA STORMWATER QUALITY ASSOCIATION'S (CASQA) "STORMWATER BEST MANAGEMENT PRACTICE HANDBOOK FOR NEW DEVELOPMENT AND REDEVELOPMENT," THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD FOR THE SAN FRANCISCO BAY REGION (C.3 CO-PERMIT PROVISIONS), AND THE SAN FRANCISCO BAY AREA STORMWATER MANAGEMENT AGENCIES ASSOCIATION (BASMAA), A MINIMUM WATER QUALITY RAINFALL INTENSITY OF 0.2 INCHES/HOUR MAY BE UTILIZED TO DETERMINE THE APPROPRIATELY SIZED FLOW-BASED STORMWATER BMP STRUCTURE.

CALCULATION/ESTIMATION OF RUNOFF FLOW FROM THE WQSE

RATIONAL METHOD: (QWQ = C ● Iwq ● A)
Qwq = TBD (DISCHARGE FLOW, CUBIC FEET PER
C = XC (RUNOFF COEFFICIENT, NON-DIMENSIONAL)
Iwq = 0.2 (RAINFALL INTENSITY, INCHES/HOUR)
A = XA (CATCHMENT AREA, ACRES)

WATER QUALITY STORM EVENT FLOW ESTIMATE

VARIABLE	VALUE	UNIT	DEFINITION
C=	0.9		WEIGHTED AVERAGE RUNOFF COEFFICIENT
Iqw=	0.2	IN/HR	MIN. RAINFALL INTENSITY OF WATER-QUALITY STORM EVENT
A=	118,670 2.72	SQFT ACRES	ESTIMATED DRAINAGE AREA SIZE (PER TREATMENT UNIT)
Qwq=	0.49 220	CFS GPM	MINIMUM FLOWRATE OF WATER-QUALITY STORM EVENT
SELECTION OF STRUCTURAL STORM WATER TREATMENT DEVICE			
MFS MODEL: 612 MFS (13 CARTRIDGES @ 18 GPM/CARTRIDGE) TREATMENT CAPACITY: 0.52 CFS (234 GPM) PER UNIT			

"P4" – TREATMENT AREA # 4.2

STORMWATER CONTROL PLAN NOTES

1. THE SITE IS SLOPING FROM SOUTHWEST CORNER ON RACE STREET TOWARDS THE NORTHEAST CORNER ON LINCOLN AVENUE WITH APPROXIMATELY 8 FEET OF ELEVATION DIFFERENCE RANGING FROM ELEVATION 116 TO 108, RESPECTIVELY.

DUE TO SITE COVERAGE CONSTRAINTS WITH THE PODIUM DENSITY AND STREET DEDICATION REQUIREMENTS, SUFFICIENT SPACE FOR ADEQUATE BIOSWALES IS UNAVAILABLE ON THE PROJECT SITE, HOWEVER, NEARLY 100% OF THE TOTAL SITE WILL BE TREATED BY A COMBINATION OF PERMEABLE MATERIALS AND MECHANICAL TREATMENT VAULTS AS SHOWN ON THE PLAN AND SIZING CALCULATIONS.

2. THE SITE IS NOT IN A SPECIAL FLOOD HAZARD AREA. THE FLOOD ZONE DESIGNATION FOR THE SITE IS ZONE "D"; AREAS OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS.

3. THE SITE STORM DRAIN RUNOFF WILL BE FILTERED PRIOR TO DISCHARGE TO THE PUBLIC MAINS. THE PUBLIC MAINS EVENTUALLY DISCHARGE TO LOS GATOS CREEK, APPROXIMATELY 1,500 FEET EAST OF THE PROJECT SITE.

4. POTENTIAL POLLUTANTS INCLUDE MOTOR VEHICLE LUBRICANTS, COOLANTS, ROOF DEBRIS, LITTER AND DEBRIS. POLLUTANT SOURCE AREAS INCLUDE THE DRIVE AISLES, THE ROOFS OF THE BUILDING, AND THE SITE STORM DRAIN INLETS. ALL INLETS WILL BE MARKED "NO DUMPING – DRAINS TO BAY". THE DRIVE AISLE SHALL BE SWEPT REGULARLY TO PREVENT THE ACCUMULATION OF LITTER AND DEBRIS.

5. THE STORM DRAIN FILTRATION UNIT SHALL BE MAINTAINED ONCE A YEAR BEFORE THE RAINY SEASON BEGINS IN OCTOBER. THE MAINTENANCE OF THESE UNITS CONSISTS OF CLEANING AND REMOVAL OF ACCUMULATED DEBRIS AND REPLACEMENT OF FILTRATION CARTRIDGES ONCE A YEAR OR AS NEEDED PER INSPECTIONS.

6. THE COSTS OF ALL MAINTENANCE WILL BE BORNE BY THE PROPERTY OWNER OR ASSOCIATION.

7. CONVEYANCE OF 10-YEAR STORM:

TREATMENT AREA	TOTAL DRAINAGE AREA	FLOW	FLOW ANALYSIS
"P4.2"	98,263 S.F. (2.26± AC)	3.66 CFS	FILTRATION UNIT TO HAVE ADEQUATELY DESIGNED OVERFLOW TO ACCOMMODATE 10-YEAR STORM

NOTE: 10-YEAR STORM FLOW IS CALCULATED UTILIZING AN INTENSITY OF 1.8 INCHES PER HOUR AND A RUN-OFF COEFFICIENT OF 0.90 FOR ALL IMPERVIOUS TREATED AREAS.

STORMWATER TREATMENT SUMMARY

TOTAL SITE AREA	173,180 S.F.	(3.98± AC)
TOTAL SITE AREA TO BE DEVELOPED	173,180 S.F.	(3.98± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED AND TREATED WITHIN THE SITE DEVELOPMENT AREA	98,263 S.F.	(2.26± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED BUT NOT TREATED WITHIN THE SITE DEVELOPMENT AREA	3,131 S.F.	(0.07± AC)
TOTAL PERCENTAGE OF STORM DRAIN RUNOFF FROM IMPERVIOUS AREAS BEING TREATED		97%

POST DEVELOPMENT AREA CALCULATIONS

AREA	LEGEND	SIZE (S.F.)	SIZE (AC)	% OF SITE
BUILDING ROOF (DIRECTED TO AND TREATED BY FILTRATION UNIT)		53,074 S.F.	1.22± AC	31%
DRIVE AISLES, SIDEWALKS, & PATIOS (DIRECTED TO AND TREATED BY FILTRATION UNIT)		45,189 S.F.	1.04± AC	26%
LANDSCAPE AREAS (SELF-TREATING)		17,783 S.F.	0.41± AC	10%
PODIUM & PARKING STALLS (SELF-TREATING PERVIOUS PAVERS)		54,003 S.F.	1.24± AC	31%
UNTREATED AREA (DUE TO SITE CONSTRAINTS)		3,131 S.F.	0.07± AC	2%
TOTALS		173,180 S.F.	3.98± AC	100%

FILTRATION UNIT SIZING CALCULATIONS

TREATMENT FLOWRATE OF WATER-QUALITY STORM EVENT (WQSE)

IN ACCORDANCE WITH THE CALIFORNIA STORMWATER QUALITY ASSOCIATION'S (CASQA) "STORMWATER BEST MANAGEMENT PRACTICE HANDBOOK FOR NEW DEVELOPMENT AND REDEVELOPMENT," THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD FOR THE SAN FRANCISCO BAY REGION (C.3 CO-PERMIT PROVISIONS), AND THE SAN FRANCISCO BAY AREA STORMWATER MANAGEMENT AGENCIES ASSOCIATION (BASMAA), A MINIMUM WATER QUALITY RAINFALL INTENSITY OF 0.2 INCHES/HOUR MAY BE UTILIZED TO DETERMINE THE APPROPRIATELY SIZED FLOW-BASED STORMWATER BMP STRUCTURE.

CALCULATION/ESTIMATION OF RUNOFF FLOW FROM THE WQSE

RATIONAL METHOD: (QWQ = C ● Iwq ● A)
Qwq = TBD (DISCHARGE FLOW, CUBIC FEET PER
C = XC (RUNOFF COEFFICIENT, NON-DIMENSIONAL)
Iwq = 0.2 (RAINFALL INTENSITY, INCHES/HOUR)
A = XA (CATCHMENT AREA, ACRES)

WATER QUALITY STORM EVENT FLOW ESTIMATE

VARIABLE	VALUE	UNIT	DEFINITION
C=	0.9		WEIGHTED AVERAGE RUNOFF COEFFICIENT
Iqw=	0.2	IN/HR	MIN. RAINFALL INTENSITY OF WATER-QUALITY STORM EVENT
A=	98,263 2.26	SQFT ACRES	ESTIMATED DRAINAGE AREA SIZE (PER TREATMENT UNIT)
Qwq=	0.41 183	CFS GPM	MINIMUM FLOWRATE OF WATER-QUALITY STORM EVENT
SELECTION OF STRUCTURAL STORM WATER TREATMENT DEVICE			
MFS MODEL: 612 MFS (11 CARTRIDGES @ 18 GPM/CARTRIDGE) TREATMENT CAPACITY: 0.44 CFS (198 GPM) PER UNIT			

Race Street Residential
GENERAL DEVELOPMENT PLAN
PD NORTH

Sobrato Development Companies
San Jose, CA

SOBRATO
DEVELOPMENT COMPANIES

REVISIONS

	DATE		DATE		DATE
1		1		1	
2		2		2	
3		3		3	
4		4		4	
5		5		5	
6		6		6	
7		7		7	
8		8		8	
9		9		9	
10		10		10	
11		11		11	
12		12		12	

SHEET TITLE

CONCEPTUAL SWCP-
SIZING CALCULATIONS

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3350 Scott Boulevard, Building 22 (408) 727 5665
Santa Clara, California 95054 fax (408) 727 5641

SHEET NUMBER
4-1.0

JOB NO.
A04270
DATE
12.20.06
SCALE
AS SHOWN

MVE STUDIO

PROPOSEDCONNECTION TO PUBLIC MAIN

RAIN WATER LEADERS TO BE CONNECTED TO STORM DRAIN SYSTEM AND FILTERED THROUGH FILTRATION UNIT

"P3" TREATMENT AREA #3

"P2" TREATMENT AREA #2

LINCOLN AVENUE

B PROPOSED FILTRATION UNIT

ROOF AREA (TYP.)

PERMEABLE PAVERS (TYP.)

P3

RAIN WATER LEADERS TO BE CONNECTED TO STORM DRAIN SYSTEM AND FILTERED THROUGH FILTRATION UNIT

PATIOS DISCHARGE TO LANDSCAPE AREAS

"P1" TREATMENT AREA #1

PERVIOUS PAVERS (TYP.)

S.C.V.T.A

"P3" TREATMENT AREA #3

"P2" TREATMENT AREA #2

P2

PERMEABLE PAVERS (TYP.)

PARKMOOR AVENUE

RAIN WATER LEADERS TO BE CONNECTED TO STORM DRAIN SYSTEM AND FILTERED THROUGH FILTRATION UNIT

PERMEABLE PAVERS (TYP.)

P1

RAIN WATER LEADERS TO BE CONNECTED TO STORM DRAIN SYSTEM AND FILTERED THROUGH FILTRATION UNIT

IMPERVIOUS HARDSCAPE (TYP.)

A

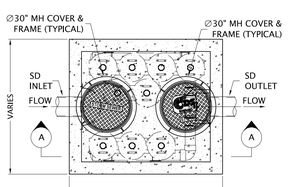
PROPOSED FILTRATION UNIT

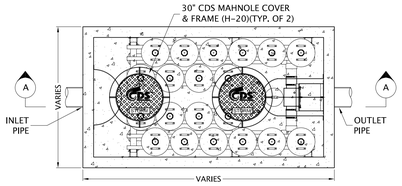
LANDSCAPE

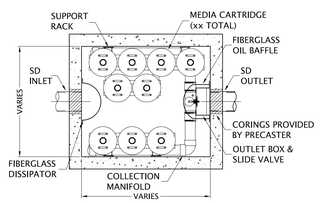
ROOF AREA (TYP.)

RACE STREET

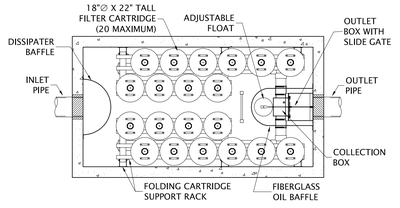
"P1" TREATMENT AREA #1

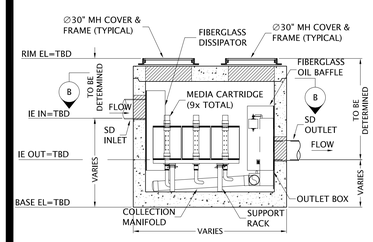






VIEW B-B

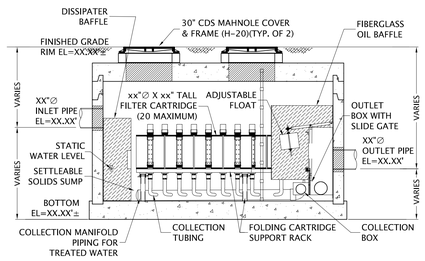




VIEW A-A

STORMWATER FILTATION UNIT DETAIL A

NOT TO SCALE



VIEW A-A

STORMWATER FILTATION UNIT DETAIL B

NOT TO SCALE

LEGEND

	PROPOSED	EXISTING
CATCH BASIN (CB)	■	■
STORM DRAIN MANHOLE	⊙	⊙
STORMWATER FILTRATION UNIT	▬	
BUILDING ROOF AREA (TREATED AREA)	▬	
DRIVE AISLES / SIDEWALKS / WALKWAYS / PATIOS (TREATED AREA)	▬	

N

0 40 80 120

Scale 1" = 40 ft

Race Street Residential
GENERAL DEVELOPMENT PLAN
PD SOUTH

Sobrato Development Companies
San Jose, CA

SOBRATO
DEVELOPMENT COMPANIES

REVISIONS

DATE	DATE	DATE

SHEET TITLE

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SCALE AS SHOWN

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XrefS: C-TOPO, C-BNDY-RECORD, C-MGNT-SOTH-NEW, C-SITE-SOTH, C-TTLB-SOTH, C-SITE-CIVL, C-LDSP-SOTH, C-GRAD-SOTH USER:bcarrera I:\PROJECTS\A04270\DWG\PLANNING\PD REZONE\PD SOUTH\4-0,9-MGMT.dwg DECEMBER 19, 2006 5:58 PM

"P1" – TREATMENT AREA # 1

STORM WATER CONTROL PLAN NOTES:

1. THE SITE IS SLOPING FROM SOUTHWEST CORNER ON RACE STREET TOWARDS THE NORTHEAST CORNER ON PARKMOOR AVENUE WITH APPROXIMATELY 2 FEET OF ELEVATION DIFFERENCE RANGING FROM ELEVATION 118 TO 116, RESPECTIVELY.

DUE TO SITE COVERAGE CONSTRAINTS WITH THE PODIUM DENSITY AND STREET DEDICATION REQUIREMENTS, SUFFICIENT SPACE FOR ADEQUATE BIOSWALES IS UNAVAILABLE ON THE PROJECT SITE. HOWEVER, 100% OF THE TOTAL SITE WILL BE TREATED BY A COMBINATION OF PERMEABLE MATERIALS AND MECHANICAL TREATMENT VAULTS AS SHOWN ON THE PLAN AND SIZING CALCULATIONS.

2. THE SITE IS NOT IN A SPECIAL FLOOD HAZARD AREA. THE FLOOD ZONE DESIGNATION FOR THE SITE IS ZONE "D"; AREAS OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS.

3. THE SITE STORM DRAIN RUNOFF WILL BE FILTERED PRIOR TO DISCHARGE TO THE PUBLIC MAINS. THE PUBLIC MAINS EVENTUALLY DISCHARGE TO LOS GATOS CREEK, APPROXIMATELY 1,500 FEET EAST OF THE PROJECT SITE.

4. POTENTIAL POLLUTANTS INCLUDE MOTOR VEHICLE LUBRICANTS, COOLANTS, ROOF DEBRIS, LITTER AND DEBRIS. POLLUTANT SOURCE AREAS INCLUDE THE DRIVE AISLES, THE ROOFS OF THE BUILDING, AND THE SITE STORM DRAIN INLETS. ALL INLETS WILL BE MARKED "NO DUMPING – DRAINS TO BAY". THE DRIVE AISLE SHALL BE SWEPT REGULARLY TO PREVENT THE ACCUMULATION OF LITTER AND DEBRIS.

5. THE STORM DRAIN FILTRATION UNIT SHALL BE MAINTAINED ONCE A YEAR BEFORE THE RAINY SEASON BEGINS IN OCTOBER. THE MAINTENANCE OF THESE UNITS CONSISTS OF CLEANING AND REMOVAL OF ACCUMULATED DEBRIS AND REPLACEMENT OF FILTRATION CARTRIDGES ONCE A YEAR OR AS NEEDED PER INSPECTIONS.

6. THE COSTS OF ALL MAINTENANCE WILL BE BORNE BY THE PROPERTY OWNER OR ASSOCIATION.

7. CONVEYANCE OF 10-YEAR STORM:

TREATMENT AREA	TOTAL DRAINAGE AREA	FLOW	FLOW ANALYSIS
"P1"	82,130 S.F. (1.89± AC)	3.06 CFS	FILTRATION UNIT TO HAVE ADEQUATELY DESIGNED OVERFLOW TO ACCOMMODATE 10-YEAR STORM

NOTE: 10-YEAR STORM FLOW IS CALCULATED UTILIZING AN INTENSITY OF 1.8 INCHES PER HOUR AND A RUN-OFF COEFFICIENT OF 0.90 FOR ALL IMPERVIOUS TREATED AREAS.

STORM WATER TREATMENT SUMMARY

TOTAL SITE AREA	135,364 S.F.	(3.11± AC)
TOTAL SITE AREA TO BE DEVELOPED	135,364 S.F.	(3.11± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED AND TREATED WITHIN THE SITE DEVELOPMENT AREA	82,130 S.F.	(1.89± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED BUT NOT TREATED WITHIN THE SITE DEVELOPMENT AREA	0	0
TOTAL PERCENTAGE OF STORM DRAIN RUNOFF FROM IMPERVIOUS AREAS BEING TREATED		100%

POST DEVELOPMENT AREA CALCULATIONS

AREA	LEGEND	SIZE (S.F.)	SIZE (AC)	% OF SITE
BUILDING ROOF (DIRECTED TO AND TREATED BY FILTRATION UNIT)		62,830 S.F.	1.45± AC	46%
DRIVE AISLES, SIDEWALKS, & PATIOS (DIRECTED TO AND TREATED BY FILTRATION UNIT)		19,300 S.F.	0.44± AC	14%
LANDSCAPE AREAS (SELF-TREATING)		12,589 S.F.	0.29± AC	10%
PODIUM & PARKING STALLS (SELF-TREATING PERVIOUS PAVERS)		40,645 S.F.	0.93± AC	30%
TOTALS		135,364 S.F.	3.11± AC	100%

FILTRATION UNIT SIZING CALCULATIONS

TREATMENT FLOWRATE OF WATER-QUALITY STORM EVENT (WQSE)

IN ACCORDANCE WITH THE CALIFORNIA STORM WATER QUALITY ASSOCIATION'S (CASQA) "STORM WATER BEST MANAGEMENT PRACTICE HANDBOOK FOR NEW DEVELOPMENT AND REDEVELOPMENT," THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD FOR THE SAN FRANCISCO BAY REGION (C.3 CO-PERMIT PROVISIONS), AND THE SAN FRANCISCO BAY AREA STORM WATER MANAGEMENT AGENCIES ASSOCIATION (BASMAA), A MINIMUM WATER QUALITY RAINFALL INTENSITY OF 0.2 INCHES/HOUR MAY BE UTILIZED TO DETERMINE THE APPROPRIATELY SIZED FLOW-BASED STORM WATER BMP STRUCTURE.

CALCULATION/ESTIMATION OF RUNOFF FLOW FROM THE WQSE

RATIONAL METHOD: (QWQ = C ● Iwq ● A)
Qwq = TBD (DISCHARGE FLOW, CUBIC FEET PER
C = XC (RUNOFF COEFFICIENT, NON-DIMENSIONAL)
Iwq = 0.2 (RAINFALL INTENSITY, INCHES/HOUR)
A = XA (CATCHMENT AREA, ACRES)

WATER QUALITY STORM EVENT FLOW ESTIMATE

VARIABLE	VALUE	UNIT	DEFINITION
C=	0.9	% / %	WEIGHTED AVERAGE RUNOFF COEFFICIENT
Iqw=	0.2	IN/HR	MIN. RAINFALL INTENSITY OF WATER-QUALITY STORM EVENT
A=	82,130 1.89	SQFT ACRES	ESTIMATED DRAINAGE AREA SIZE (PER TREATMENT UNIT)
Qwq=	0.34 153	CFS GPM	MINIMUM FLOWRATE OF WATER-QUALITY STORM EVENT
SELECTION OF STRUCTURAL STORM WATER TREATMENT DEVICE			
MFS MODEL: 676 MFS (9 CARTRIDGES @ 18 GPM/CARTRIDGE) TREATMENT CAPACITY: 0.36 CFS (162 GPM) PER UNIT			

"P2" – TREATMENT AREA # 2

STORM WATER CONTROL PLAN NOTES:

1. THE SITE IS SLOPING FROM SOUTHWEST CORNER ON RACE STREETAND PARKMOOR AVENUE NORTHEAST TWORDS THE CENTER OF PD SOUTH WITH APPROXIMATELY 4 FEET OF ELEVATION DIFFERENCE RANGING FROM ELEVATION 117 TO 113, RESPECTIVELY.

DUE TO SITE COVERAGE CONSTRAINTS WITH THE PODIUM DENSITY AND STREET DEDICATION REQUIREMENTS, SUFFICIENT SPACE FOR ADEQUATE BIOSWALES IS UNAVAILABLE ON THE PROJECT SITE. HOWEVER, 100% OF THE TOTAL SITE WILL BE TREATED BY A COMBINATION OF PERMEABLE MATERIALS AND MECHANICAL TREATMENT VAULTS AS SHOWN ON THE PLAN AND SIZING CALCULATIONS.

2. THE SITE IS NOT IN A SPECIAL FLOOD HAZARD AREA. THE FLOOD ZONE DESIGNATION FOR THE SITE IS ZONE "D"; AREAS OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS.

3. THE SITE STORM DRAIN RUNOFF WILL BE FILTERED PRIOR TO DISCHARGE TO THE PUBLIC MAINS. THE PUBLIC MAINS EVENTUALLY DISCHARGE TO LOS GATOS CREEK, APPROXIMATELY 1,500 FEET EAST OF THE PROJECT SITE.

4. POTENTIAL POLLUTANTS INCLUDE MOTOR VEHICLE LUBRICANTS, COOLANTS, ROOF DEBRIS, LITTER AND DEBRIS. POLLUTANT SOURCE AREAS INCLUDE THE DRIVE AISLES, THE ROOFS OF THE BUILDING, AND THE SITE STORM DRAIN INLETS. ALL INLETS WILL BE MARKED "NO DUMPING – DRAINS TO BAY". THE DRIVE AISLE SHALL BE SWEPT REGULARLY TO PREVENT THE ACCUMULATION OF LITTER AND DEBRIS.

5. THE STORM DRAIN FILTRATION UNIT SHALL BE MAINTAINED ONCE A YEAR BEFORE THE RAINY SEASON BEGINS IN OCTOBER. THE MAINTENANCE OF THESE UNITS CONSISTS OF CLEANING AND REMOVAL OF ACCUMULATED DEBRIS AND REPLACEMENT OF FILTRATION CARTRIDGES ONCE A YEAR OR AS NEEDED PER INSPECTIONS.

6. THE COSTS OF ALL MAINTENANCE WILL BE BORNE BY THE PROPERTY OWNER OR ASSOCIATION.

7. CONVEYANCE OF 10-YEAR STORM:

TREATMENT AREA	TOTAL DRAINAGE AREA	FLOW	FLOW ANALYSIS
"P2"	129,858 S.F. (2.98± AC)	4.83 CFS	FILTRATION UNIT TO HAVE ADEQUATELY DESIGNED OVERFLOW TO ACCOMMODATE 10-YEAR STORM

NOTE: 10-YEAR STORM FLOW IS CALCULATED UTILIZING AN INTENSITY OF 1.8 INCHES PER HOUR AND A RUN-OFF COEFFICIENT OF 0.90 FOR ALL IMPERVIOUS TREATED AREAS.

STORM WATER TREATMENT SUMMARY

TOTAL SITE AREA	216,701 S.F.	(4.97± AC)
TOTAL SITE AREA TO BE DEVELOPED	216,701 S.F.	(4.97± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED AND TREATED WITHIN THE SITE DEVELOPMENT AREA	129,858 S.F.	(2.98± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED BUT NOT TREATED WITHIN THE SITE DEVELOPMENT AREA	0	0
TOTAL PERCENTAGE OF STORM DRAIN RUNOFF FROM IMPERVIOUS AREAS BEING TREATED		100%

POST DEVELOPMENT AREA CALCULATIONS

AREA	LEGEND	SIZE (S.F.)	SIZE (AC)	% OF SITE
BUILDING ROOF (DIRECTED TO AND TREATED BY FILTRATION UNIT)		90,048 S.F.	2.07± AC	42%
DRIVE AISLES, SIDEWALKS, & PATIOS (DIRECTED TO AND TREATED BY FILTRATION UNIT)		39,810 S.F.	0.91± AC	18%
LANDSCAPE AREAS (SELF-TREATING)		29,759 S.F.	0.68± AC	14%
PODIUM & PARKING STALLS (SELF-TREATING PERVIOUS PAVERS)		57,084 S.F.	1.31± AC	26%
TOTALS		216,701 S.F.	4.97± AC	100%

FILTRATION UNIT SIZING CALCULATIONS (AREAS #2 & #3 COMBINED)

TREATMENT FLOWRATE OF WATER-QUALITY STORM EVENT (WQSE)

IN ACCORDANCE WITH THE CALIFORNIA STORMWATER QUALITY ASSOCIATION'S (CASQA) "STORMWATER BEST MANAGEMENT PRACTICE HANDBOOK FOR NEW DEVELOPMENT AND REDEVELOPMENT," THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD FOR THE SAN FRANCISCO BAY REGION (C.3 CO-PERMIT PROVISIONS), AND THE SAN FRANCISCO BAY AREA STORMWATER MANAGEMENT AGENCIES ASSOCIATION (BASMAA), A MINIMUM WATER QUALITY RAINFALL INTENSITY OF 0.2 INCHES/HOUR MAY BE UTILIZED TO DETERMINE THE APPROPRIATELY SIZED FLOW-BASED STORMWATER BMP STRUCTURE.

CALCULATION/ESTIMATION OF RUNOFF FLOW FROM THE WQSE

RATIONAL METHOD: (QWQ = C ● Iwq ● A)
Qwq = TBD (DISCHARGE FLOW, CUBIC FEET PER
C = XC (RUNOFF COEFFICIENT, NON-DIMENSIONAL)
Iwq = 0.2 (RAINFALL INTENSITY, INCHES/HOUR)
A = XA (CATCHMENT AREA, ACRES)

WATER QUALITY STORM EVENT FLOW ESTIMATE

VARIABLE	VALUE	UNIT	DEFINITION
C=	0.9	% / %	WEIGHTED AVERAGE RUNOFF COEFFICIENT
Iqw=	0.2	IN/HR	MIN. RAINFALL INTENSITY OF WATER-QUALITY STORM EVENT
A=	204,038 4.68	SQFT ACRES	ESTIMATED DRAINAGE AREA SIZE (PER TREATMENT UNIT)
Qwq=	0.84 377	CFS GPM	MINIMUM FLOWRATE OF WATER-QUALITY STORM EVENT
SELECTION OF STRUCTURAL STORM WATER TREATMENT DEVICE			
MFS MODEL: 814 MFS (22 CARTRIDGES @ 18 GPM/CARTRIDGE) TREATMENT CAPACITY: 0.88 CFS (396 GPM) PER UNIT			

"P3" – TREATMENT AREA # 3

STORM WATER CONTROL PLAN NOTES:

1. THE SITE IS SLOPING FROM THE CENTER OF PD SOUTH TOWARDS THE NORTHEAST CORNER ON LINCOLN AVENUE WITH APPROXIMATELY 5 FEET OF ELEVATION DIFFERENCE RANGING FROM ELEVATION 115 TO 110, RESPECTIVELY.

DUE TO SITE COVERAGE CONSTRAINTS WITH THE PODIUM DENSITY AND STREET DEDICATION REQUIREMENTS, SUFFICIENT SPACE FOR ADEQUATE BIOSWALES IS UNAVAILABLE ON THE PROJECT SITE. HOWEVER, 100% OF THE TOTAL SITE WILL BE TREATED BY A COMBINATION OF PERMEABLE MATERIALS AND MECHANICAL TREATMENT VAULTS AS SHOWN ON THE PLAN AND SIZING CALCULATIONS.

2. THE SITE IS NOT IN A SPECIAL FLOOD HAZARD AREA. THE FLOOD ZONE DESIGNATION FOR THE SITE IS ZONE "D"; AREAS OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS.

3. THE SITE STORM DRAIN RUNOFF WILL BE FILTERED PRIOR TO DISCHARGE TO THE PUBLIC MAINS. THE PUBLIC MAINS EVENTUALLY DISCHARGE TO LOS GATOS CREEK, APPROXIMATELY 1,500 FEET EAST OF THE PROJECT SITE.

4. POTENTIAL POLLUTANTS INCLUDE MOTOR VEHICLE LUBRICANTS, COOLANTS, ROOF DEBRIS, LITTER AND DEBRIS. POLLUTANT SOURCE AREAS INCLUDE THE DRIVE AISLES, THE ROOFS OF THE BUILDING, AND THE SITE STORM DRAIN INLETS. ALL INLETS WILL BE MARKED "NO DUMPING – DRAINS TO BAY". THE DRIVE AISLE SHALL BE SWEPT REGULARLY TO PREVENT THE ACCUMULATION OF LITTER AND DEBRIS.

5. THE STORM DRAIN FILTRATION UNIT SHALL BE MAINTAINED ONCE A YEAR BEFORE THE RAINY SEASON BEGINS IN OCTOBER. THE MAINTENANCE OF THESE UNITS CONSISTS OF CLEANING AND REMOVAL OF ACCUMULATED DEBRIS AND REPLACEMENT OF FILTRATION CARTRIDGES ONCE A YEAR OR AS NEEDED PER INSPECTIONS.

6. THE COSTS OF ALL MAINTENANCE WILL BE BORNE BY THE PROPERTY OWNER OR ASSOCIATION.

7. CONVEYANCE OF 10-YEAR STORM:

TREATMENT AREA	TOTAL DRAINAGE AREA	FLOW	FLOW ANALYSIS
"P3"	74,180 S.F. (1.70± AC)	2.75 CFS	FILTRATION UNIT TO HAVE ADEQUATELY DESIGNED OVERFLOW TO ACCOMMODATE 10-YEAR STORM

NOTE: 10-YEAR STORM FLOW IS CALCULATED UTILIZING AN INTENSITY OF 1.8 INCHES PER HOUR AND A RUN-OFF COEFFICIENT OF 0.90 FOR ALL IMPERVIOUS TREATED AREAS.

STORM WATER TREATMENT SUMMARY

TOTAL SITE AREA	109,686 S.F.	(2.52± AC)
TOTAL SITE AREA TO BE DEVELOPED	109,686 S.F.	(2.52± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED AND TREATED WITHIN THE SITE DEVELOPMENT AREA	74,180 S.F.	(1.70± AC)
TOTAL PROPOSED IMPERVIOUS AREAS BEING CREATED BUT NOT TREATED WITHIN THE SITE DEVELOPMENT AREA	0	0
TOTAL PERCENTAGE OF STORM DRAIN RUNOFF FROM IMPERVIOUS AREAS BEING TREATED		100%

POST DEVELOPMENT AREA CALCULATIONS

AREA	LEGEND	SIZE (S.F.)	SIZE (AC)	% OF SITE
BUILDING ROOF (DIRECTED TO AND TREATED BY FILTRATION UNIT)		44,842 S.F.	1.03± AC	41%
DRIVE AISLES, SIDEWALKS, & PATIOS (DIRECTED TO AND TREATED BY FILTRATION UNIT)		29,338 S.F.	0.68± AC	27%
LANDSCAPE AREAS (SELF-TREATING)		13,210 S.F.	0.30± AC	12%
PODIUM & PARKING STALLS (SELF-TREATING PERVIOUS PAVERS)		22,296 S.F.	0.51± AC	20%
TOTALS		109,686 S.F.	2.52± AC	100%

FILTRATION UNIT SIZING CALCULATION NOTE

TREATMENT AREAS #2 & #3 ARE TREATED BY A SINGLE FILTRATION UNIT, THEREFORE SIZING CALCULATIONS FOR THE UNIT ARE PROVIDED AS ONE TABLE AS SHOWN.

Race Street Residential
GENERAL DEVELOPMENT PLAN
PD SOUTH

Sobrato Development Companies
San Jose, CA

SOBRATO
DEVELOPMENT COMPANIES

REVISIONS

	DATE		DATE		DATE

SHEET TITLE

CONCEPTUAL SWCP-
SIZING CALCULATIONS

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3350 Scott Boulevard, Building 22 (408) 727 6665
Santa Clara, California 95054 fax (408) 727 5641

SHEET NUMBER
4-1.0

JOB NO.
A04270

DATE
12.20.06

SCALE
AS SHOWN

MVE STUDIO

SECTION 5 COPIES OF COMMENT LETTERS

The original comment letters received on the DEIR are provided on the following pages.

STATE OF CALIFORNIA
PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

ARNOLD SCHWARZENEGGER, *Governor*

December 18, 2006

Darren McBain
City of San Jose
200 E. Santa Clara St., 3rd Floor
San Jose, CA 95113

Dear Mr. McBain:

Re: SCH #2005062160; Parkmoor/Race Residential General Plan Amendment, etc.

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way. Of specific concern is that all driveways for the project are located as far as possible from the existing at-grade highway-rail crossings located at Race/Parkmoor Streets and at Lincoln Street. Vandal-resistant fencing should be included to deter trespassing onto the right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

Kevin Boles
Environmental Specialist
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Terrel Anderson, UP
Mark Bugna, VTA

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov

POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

December 19, 2006

Mr. Darren McBain
City of San Jose
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Dear Mr. McBain:

Subject: Parkmoor/Race Residential General Plan Amendment and Planned Development Rezoning, SCH 2005062160, San Jose, Santa Clara County

The Department of Fish and Game (DFG) has reviewed the document for the subject project. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G). Therefore, if you are preparing an Environmental Impact Report or an Initial Study and Negative Declaration for this project, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Santa Clara County Clerk on or before filing of the Notice of Determination for this project.

Please note that the above comment is only in regard to the need to pay the environmental filing fee and is not a comment by DFG on the significance of project impacts or any proposed mitigation measures.

If you have any questions, please contact Mr. Dave Johnston, Environmental Scientist, at (831) 466-0234 or Mr. Greg Martinelli, Acting Habitat Conservation Supervisor, at (707) 944-5570.

Sincerely,

Cindy Catalano

Charles Armor
Acting Regional Manager
Central Coast Region

cc: State Clearinghouse

Conserving California's Wildlife Since 1870

DEPARTMENT OF TRANSPORTATION
P. O. BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
(510) 286-4454 TDD

December 19, 2006

SCL-280-R.376
SCL280337
SCH 2005062160

Mr. Darren McBain
City of San José
200 East Santa Clara Street, 3rd Floor
San José, CA 95113

Dear Mr. McBain:

Parkmoor / Race Residential General Plan Amendment and Planned Development Rezoning – Draft Environmental Impact Report (DEIR)

Thank you for including the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the DEIR and have the following comments to offer.

Hydraulics
The Department needs to review the proposed project site grading plan and drainage plan to ensure that there is no impact to State drainage facilities.

Encroachment
Please be advised that any work or traffic control within the State right-of-way (ROW) will require an encroachment permit from the Department. To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of plans which clearly indicate State ROW to the following address:

Mr. Michael Condie, District Office Chief
Office of Permits
California Department of Transportation, District 04
P. O. Box 23660
Oakland, Ca 94623-0660

An encroachment permit application and instructions can be located at the following web address: http://www.dot.ca.gov/hq/traffops/developserv/permits/applications/index.html

Additional comments, if any, from our other functional review branches will be forwarded as soon as they are received.

Should you require further information or have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

Timothy C. Sable

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c. Scott Morgan (State Clearinghouse)

DEPARTMENT OF TRANSPORTATION
P. O. BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
(510) 286-4454 TDD

January 3, 2007

SCL-280-R.376
SCL280337
SCH 2005062160

Mr. Darren McBain
City of San José
200 East Santa Clara Street, 3rd Floor
San José, CA 95113

Dear Mr. McBain:

Parkmoor / Race Residential General Plan Amendment and Planned Development Rezoning – Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the DEIR and have the following additional comments to offer.

Forecasting

1. The trip generation rates for both the A.M. and P.M. peak hours are too low.
2. The sum total for the trip generation rate calculations is incorrect.
3. The pass-by trip reduction should be 20%, not 25%.
4. The 13% internal reductions are incorrectly calculated.

Please rectify the above and submit for our review and comment.

Additional comments, if any, from our other functional review branches will be forwarded as soon as they are received.

Should you require further information or have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c. Scott Morgan (State Clearinghouse)

California Regional Water Quality Control Board
San Francisco Bay Region

Linda S. Adams
Secretary for Environmental Protection

Internet Address: http://www.swrcb.ca.gov
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 FAX (510) 622-2460

Arnold Schwarzenegger
Governor

January 5, 2007
File No. 2188.05 (BKW)

Department of Planning, Building and Code Enforcement
City of San Jose
Attn: Darren McBain
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113-1905

Re: Draft Environmental Impact Report for the Race Street General Plan Amendments and Planned Development Zonings (GP05-06-01, GP05-06-02, PDC06-024, and PDC06-025), San Jose, California
SCH # 2005062160

Dear Mr. McBain:

Regional Water Quality Control Board (Water Board) staff have reviewed the *Draft Environmental Impact Report for the Race Street General Plan Amendments and Planned Development Zonings* (GP05-06-01, GP05-06-02, PDC06-024, and PDC06-025)(DEIR). Water Board staff have the following comment on the DEIR.

Comment 1
Section 2.6.2, Hydrology and Water Quality Impacts, Mitigation Measures Hydro-1.1 through Hydro-1.3 (pages 140 – 141).
Mitigation measures Hydro-1.1 through Hydro-1.3 discuss the project's proposed post-construction stormwater management measures. These measures would be implemented for compliance with Provision C.3 of the City of San Jose's NPDES Permit and the City's Post-Construction Urban Runoff Management Policy (Policy 6-29). The proposed treatment includes the use of permeable podiums, consisting of paving stones underlain with gravel or drain rock. Figure 17 of the DEIR illustrates the proposed permeable podium design.

Water Board staff are concerned that the proposed design may not be fully consistent with the requirements of Provision C.3. Based on Figure 17, it appears that the gaps between unit pavers will be only one-quarter inch wide. In order to ensure that runoff infiltrates between pavers, a minimum spacing of half of an inch is usually required. It is also not clear how the proposed layer of gravel or drain rock will filter pollutants from stormwater runoff, since the proposed design does not appear to include a filter medium (e.g., sand).

Mitigation Measure Hydro-1.3 refers to numeric sizing calculations for the treatment units. These calculations will be required by the City of San Jose before a Planned Development Permit is issued for the project. Please provide Water Board staff with these calculations so that we can better understand the design and functioning of proposed treatment units.

If you have any questions, please contact me at (510) 622-5680 or e-mail bwines@waterboards.ca.gov.

Sincerely,

Brian Wines

Brian Wines
Water Resources Control Engineer

cc: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044

County of Santa Clara
Roads and Airports Department

101 Skyport Drive
San Jose, California 95110-1302
(408) 573-2400

December 6, 2006

Mr. Darren McBain
City of San Jose Planning Division
200 East Santa Clara Street
San Jose, CA 95113

Subject: Notice of Availability of a Draft Environmental Impact Report (EIR) for the Race Street General Plan Amendment.
File No. GP05-06-01, GP05-06-02, PDC06-024, PDC06-025

Dear Mr. McBain,

Your November 13, 2006 letter along with the attachment for the subject project have been reviewed. Our comments are as follows:

1. Please, furnish a copy of the Draft EIR along with the Traffic Impact analysis for our review and comments.
2. The Report should identify any potential impact on any County facility and the necessary mitigation measures should also be included in the Draft EIR.

Thank you for the opportunity to review and comment on the subject project. If you have any questions, please contact me at 573-2464.

Sincerely,

Raluca Nitescu
Project Engineer

Cc: SMS,WRL,File

SANTA CLARA
Valley Transportation Authority

January 5, 2006

City of San Jose
Department of Planning and Building
200 East Santa Clara Street
San Jose, CA 95113

Attention: Darren McBain

Subject: City File No. GP05-06-01 / Race Street GPA and Rezoning

Dear Mr. McBain:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for general plan and zoning changes to allow 969residential units and 5,000 square feet of commercial space on 21.5 acres on both sides of Parkmoor Avenue between Race Street and Lincoln Avenue. We have the following comments.

Station Area Pedestrian Amenities

Please consider the following improvements so as to provide good pedestrian access and station visibility.

- Install 10-foot sidewalks along Race Street and connecting to the station area to allow adequate space for station users.
- Install clear, monumental signage along Race Street to identify the location of the station.
- Consider redesigning the lobby area of the northern development (section 1) to provide better visibility and pedestrian access to the station. This can include attractive landscaping or installing bollards to identify the area as designated for pedestrians only.
- Provide pedestrian-level lighting around the station area.
- Design the development so that homes face the tracks and station area-as opposed to backing in. This will establish the station area as a pedestrian realm, rather than an alley and will make light rail users feel safe. Perhaps the portions of the development adjacent to the tracks have a frontage road as a buffer.

Race Street Parking

VTA recommends that the developer not be required to provide street parking along Race Street in order to maintain LRT Station visibility and provide a friendly pedestrian environment near the LRT station entrance.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,

Roy Molseed
Senior Environmental Planner

RM:kh

cc: Ebrahim Sohrabi, San Jose Development Services
Samantha Swan, VTA

SJ0526

Willow Glen
Neighborhood Association

January 2, 2007

Darren McBain,
City of San José
Department of Planning, Building, and Code Enforcement,
200 East Santa Clara Street, 3rd Floor,
San José, CA 95113

Subject: Comments regarding Draft EIR – RACE STREET GENERAL PLAN AMENDMENTS AND PLANNED DEVELOPMENT REZONINGS (GP05-06-01, GP05-06-02, PDC06-024, and PDC06-025) SCH# 2005062160

Dear Mr. McBain:

The Willow Glen Neighborhood Association finds that the project described has improved considerably over that presented in the community meeting of March 2006. The proponent appears to have incorporated many of the community suggestions.

Residential units along the street periphery have direct individual entrances on the sidewalk - eyes on the street. The parking garage under the podium will be wrapped by (that is behind the) residential units between it and the street, making for a hidden garage and the removal of the individual garage entrances shown in the previous plan. Pedestrian ways open to the public will bisect the development. The design of the 3-4 story residential structures over the ground level garage includes an interesting variety of design features.

Nevertheless, the WGNA has a number of concerns with the DEIR evaluating the proposed project. Our comments are as follows.

Project Description

The DEIR, p.29 indicates up to 5,000 square feet of retail space proposed for Area 2 would be located on the ground floor of the building located on Lincoln Avenue at the current site of the San José Medical Office Building. However, at the most recent community meeting the proponent conceded that, given the current lease agreement of San Jose Medical, this development practically would not occur for 20 years or more. Such a delay makes the promise of this neighborhood serving retail use most unlikely either in the short or long term.

Alternative locations should be considered where there is some guarantee that the commercial uses would actually be built. One such alternative is the Race Street periphery of the project site. Such a location would be even more accessible to the existing residential development along Auzerais between Race Street and Meridian. Another possibility is modifica-

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tion of the current leases along Lincoln to enable the construction of the commercial uses on this frontage while retaining existing parking capacity for these lease holders.

Hydrology

The DEIR indicates the project will increase permeable surface, thereby reducing runoff. However, it is not clear what happens to the water percolating through this permeable surface, especially that associated with the podium. There (DEIR, p.140), the project will use permeable podiums which consist of paving stones underlain with gravel or drain rock overlying a sloped concrete structural pad with waterproofing/protection board/drain mat. What happens to the drain water once it reaches the concrete pad? Will it be directed to a holding pond and then drain to the subsurface soil or what? A drain line is shown in Figure 17, but there is no indication as to where that drain outflows. If the podium drain water ultimately flows to the city storm drain, to call it a permeable surface is misleading.

Biological

Typo on DEIR, p.152. *In a nesting raptor is detected*, should read <u>If</u> a nesting…

Hazardous Materials

According to DEIR, p.163, there is a potential impact to future project residents from a hydrochloric acid tank on the property of Reed & Graham. *IES identified additional safety measures (engineering controls) that could, if acceptable to Reed & Graham, be implemented at the Reed & Graham facility to further reduce the risk of an HCl release.* The DEIR should indicate that this <u>risk will be eliminated</u> via prior action by Reed & Graham. Merely leaving this mitigation to the goodwill of R&G is inadequate.

Cultural

In view of the failure during past redevelopment of this site to actually test the onsite soils for evidence of archeological remains, we find the failure to do subsoil reconnaissance at this time puzzling. Sample corings could be completed within existing landscape areas. The results would provide a more accurate indicator of the potential for encountering archeological remains during project construction.

Energy

DEIR, p. 181 says, *The proposed project would not result in a substantial increase in energy use when compared to the total energy used in California or in the City of San José.* DEIR, pp. 228-229 says, *The proposed project would contribute approximately two percent of the*

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cumulative natural gas usage and less than one percent of the cumulative electricity and gasoline usage. Due to the proposed project's small contribution, it is concluded that the project would not result in a cumulatively considerable contribution to cumulative energy impacts. Therefore, the DEIR says we have a situation of "Less Than Significant Impact" and no mitigation respecting energy impacts of the project is required under CEQA.

The foregoing energy impact conclusions completely ignore the energy crisis facing the world and this nation. An attitude of business as usual is hardly responsible for a city of San Jose's size and position as Capital of Silicon Valley.

According to the DEIR, p.178 *The City's Energy Goal is to foster development which, by its location and design, reduces the use of non-renewable energy resources in transportation, buildings and urban services (utilities) and expands the use of renewable energy resources.*

Does this energy goal have any teeth, or is it just words on paper to make people believe the city is actually doing something about one of the major environmental crises of this century? The city should conclude new residential projects of the magnitude of the Race Street GPA have a significant energy impact and require them to contribute mitigation through energy efficient design and the use of renewable energy resources.

Availability of Public Services

Although CEQA does not require the analysis of fiscal impacts from a proposed project, a major change in use as proposed by this project can have a significant impact on the ability of the city to fund public services. This is an environmental impact. What will be the net impact on the city's ability to provide public services associated with the razing of the industrial/office buildings onsite and their replacement with the proposed housing units? Will the net revenue to the city for funding services increase or not?

Cumulative Impacts

The 4.3.3.5 Screenline Analysis starting on DEIR p.210 reached levels of incomprehensibility unusual even for traffic analysis. A graphic key to this analysis showing the location of the Link Sets (screenlines) is not contained in the DEIR text available online. It is contained within Appendix A, which is not part of the DEIR download available on the city's website. If the DEIR is to communicate environmental impacts to the public and decision-makers, all information necessary to the environmental analysis should be fully available to the public.

The impact conclusion under Parks & Recreation on DEIR, p.233 (*New parks and recreation facilities would contribute incrementally to the impacts of development identified for each of the cumulative projects as a whole, but would not be anticipated to have new or sub-*

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stantially different significant adverse environmental impacts.) makes no sense. The prior sentence on this page is probably a more accurate statement of cumulative parks & recreation impact.

Alternatives

The discussion related to the REDUCED DEVELOPMENT SITE ALTERNATIVE – AREAS 1 AND 2 ONLY found in the DEIR, p.236 fails to evaluate the land use and visual impact of squeezing the same number of units on a smaller land area. How much higher would the structures need to be to house the same number of residential units? What would happen to the proposed pedestrian amenities?

Conclusion

This project has the potential of being a quality addition to the City of San Jose. The WGNA believes that a complete and accurate environmental analysis is crucial to the attaining of this goal.

Sincerely,

Hugh Graham
Chair, Land Use Committee
WGNA

Cc
Ed Rast, ««GreetingLine»», ««GreetingLine»», ««GreetingLine»», ««GreetingLine»»

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Burbank/Del Monte
Neighborhood Advisory Committee

January 4, 2007

Darren McBain, City of San Jose
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Subject: Comments regarding Draft EIR – RACE STREET GENERAL PLAN AMENDMENTS AND PLANNED DEVELOPMENT REZONINGS (GP05-06-01, GP05-06-02, PDC06-024 AND PDC06-025) SCH#2005062160

Dear Mr. McBain;

The following is a list of comments, questions and concerns regarding Race Street General Plan Amendments and Planned Development Rezonings (GP05-06-01, GP05-06-02, PDC06-024 and PDC06-025) as prepared by the Planning and Land Use Subcommittee of the Burbank/Del Monte Neighborhood Advisory Committee (B/DM NAC).

1.3.2 Planned Development Rezonings

The DEIR suggests a 0.5 acre park be placed on the northeast portion of Area 1. While this park-deficient area welcomes additional park and open space, there has been no public discussion of such an alternative and we would not support dedication of this property as part of the required in-lieu fees. While a section of the project falls outside the transit corridor boundaries, it would be more efficient to include it as part of the transportation corridor (via amendment, exception or whatever works administratively) and follow the existing plans for park development. O'Connor Park is one block from the site and a new park is mapped within walking distance on Auzerais at the Los Gatos Creek.

2.2 Population and Housing

PH-2 The projects represent significant jobs/housing imbalance that are in conflict with the City of San Jose's policies. While there is no proposed mitigation, care should be taken to ensure that a retail/commercial component be included at the earliest possible time. The project is in a transit corridor neighborhood already lacking in neighborhood serving businesses. While in general supportive of this project, the community is concerned about setting a precedent for future developments that will result in loss of services. We would ask that a holistic general plan update for this area be conducted in tandem with the ongoing Greenprint update.

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2.3.3 Mitigation and Avoidance Measures and 2.3.4 Conclusion

The DEIR states that the development will have a **significant and unavoidable impact** (page 102) on the level of service on the surrounding roads and intersections which cannot be mitigated. (Also noted in Section 4, 4.3.37-8) Although we do not suggest that this project be halted on this account, the entire area has been targeted for additional high-density housing. The City of San Jose must consider how low they are going to allow the level of service to drop before major, necessary, and expensive improvements are made to the surrounding roadways or no longer consider this area of District 6 viable as a target for high-density development.

Appendix A Traffic

Northrup Street (pg 54) is currently listed as awkward and dangerous. Significantly increasing traffic in this area would present hazardous conditions. If Northrup cannot be vacated, it should be converted to exclude the dangerous left turns currently allowed. It is not enough for the development to create right-in right-out controls of their access points; the city must change the overall traffic flow.

Truck access (pg 57) is noted as challenging. The project should ensure access for emergency vehicles, garbage trucks, etc. as stated in the DEIR.

The narrative concerning schools (pg 60) contains outdated information concerning local schools. Broadway High School is now housed at Rivermark and is a K-8 magnet school located outside the immediate area. In addition, the concept that in promoting a Safe Walk to Schools program we can ensure safe passage for children who must cross a two lane (with unprotected sidewalks) bridge on Auzerais then traverse freeway intersections on Bird Avenue to get to Gardner Academy is ludicrous at best. While the project cannot be held responsible for the poor existing pedestrian infrastructure, ignoring the problem is not an option. If the City of San Jose is serious about developing sustainable infill housing then it must commit to developing an alternate method for pedestrians along the Auzerais/Bird corridor. This has been addressed in previous EIRs for the area and is of concern to residents in both District 3 and District 6. While this project will increase the number of children attending local schools, it is not large enough to severely impact the schools. It does, however, add incrementally to a problem that is not being addressed on a more global level.

The resulting traffic study on page 65 is, therefore, incorrect as it does not take into account the number of trips that will be added to normal traffic patterns because there is no existing safe way for children to walk or bike to Gardner Academy.

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Appendix A Traffic (cont'd)

Because the traffic studies note service level reduction and several key intersections, offsetting improvement mitigations previously identified by the community must be added to the project. (See DOT LOS study)

The project proposed parking is in excess of city standards. We feel that the parking ratio proposed answers the needs of the developer and the needs of the existing neighborhood.

The developer knows from experience what this type of project requires and is comfortable with the parking ratio. The existing neighborhood already suffers from on street parking problems because recent developments were built with a lower parking ratio as allowed in a transit corridor. The proposal would not exacerbate an existing condition. We would not support recommendations to reduce the parking by any significant amount and are pleased that the developer is willing to increase required parking limits.

Appendix C Noise Impacts and Mitigation Measures

It is noted that noise from adjacent transportation links will result in a higher than allowed decibel reading inside the units. The recommendation is that the units facing these links have sound reducing windows and that some of the windows be permanently sealed. The narrative also notes that the noise would be excessive on patios and/or balconies. The question then becomes: If the patio/balcony areas are not functional due to proximity to transit noise will they be considered eligible for private open space credits, or can the problem be resolved through mitigation?

While there is discussion concerning the impact of construction noise/vibration on adjacent businesses and homes, the construction will wrap around the San Jose Medical Center facility. Has there been any determination concerning effect on the SJMC site?

Due to the high rate of current construction truck traffic (see recent DOT study) in this area, it is not recommended that waivers be given to construction (see pg 22) outside the 7am-7pm time zone. In fact, care should be taken that all construction vehicles, including the personal vehicles of workers should be housed/parked off public streets and must comply with the time limitations. Again, special care should be given to the adjacent SJMC property.

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Appendix D Stormwater Water Quality Control

Permeable materials should be maximized on the site whenever possible with runoff meeting current standards.

Spelling error page 6 under Permeable Plazas. Should be "...paving techniques, **an** underdrain system..."

Appendix D Stormwater Quality Control (cont'd)

While runoff is discussed for post-construction, care and control should be taken during the construction period.

The narrative under Permeable Podium (pg 11) that determines how the site should be cleaned is specific about vacuuming, power washing, etc. Does the city have standardized requirements?

Appendix E Geotechnical Investigation

Considering the scope of this project and the density of the buildings proposed we question whether the soil exploration is complete. There has been no in depth analysis previously and as indicated in 2.3 on page 2, there is "...4-6 feet of glass, concrete, plastic, and other debris..." which needs further exploration. Recognizing that the buildings will cap the underlying materials, we are concerned more with the integrity of subsoil.

Summary

The developer has worked with neighborhood groups to address questions and concerns. This project has been supported by the community because we have been able to work collaboratively. Recognizing our area is along a transit corridor and has significant areas of underutilized commercial and industrial space, we accept and welcome such development but we are more concerned with the larger picture. We are setting precedents that cannot be sustained on a neighborhood or city wide level.

Transit oriented development cannot continue to be developed in an area that is losing commercial/retail/business capability. If we do not begin to balance the jobs/housing ratio and if we do not begin to develop services for this area, the residents of incoming high density housing will be forced into cars to go to work or obtain the basics of day to day living. Transit oriented development by definition includes jobs; we are not providing space for them. We cannot create a safe, walk able neighborhood if we continue this way.

Additionally, the cumulative vehicle, pedestrian and bicycle transportation congestion has reached a critical stage. In a neighborhood already deficient in these areas, each project adds to the problem and does not trigger proactive planning for relief.

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Summary (cont'd)
Each incoming project brings a new group of children to our local schools. This project, like the others, does not trigger action but does contribute to cumulative problems. Local schools have minimal ability to expand. Existing residents have no safe means of walking children to school and there are no plans to increase pedestrian or bicycle safety along Auzerais. This is a situation that must be addressed sooner rather than later.
This project will contribute significantly to the purchase of targeted park land. The area is, however, so deficient, that the contribution of this project will not significantly reduce the pressure on existing and proposed sites. Before any further projects come forward there must be a comprehensive plan to address these problems.

This area has been declared blighted in large part to poor long term planning. We cannot continue to contribute to poor conditions by saying, "This project doesn't trigger need for relief" while ignoring cumulative negative impacts. We do not want to be in the position of working against projects of this quality because the global issues are not being addressed.

While we believe this project will significantly enhance part of our district, we will be hard pressed to support future developments unless there is a comprehensive and detailed general plan update.

Respectfully submitted,

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Chair, Planning & Land Use Committee
Burbank/Del Monte Neighborhood Advisory Committee

Michael LaRocca
Planning and Land Use Committee

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cc: Council District 6
Burbank/Del Monte NAC members